



May 24, 2010

VIA EMAIL ONLY

David Danner  
Executive Director  
Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive SW  
Olympia, WA 98504-7250

RE: Bethel School District's Second Supplemental Comments to Proposed Rate Increase and Tariff Revisions Docket # UW-091466 Rainier View Water Company, Inc.

Dear Director Danner:

This firm represents the Bethel School District ("Bethel" or the "District") with respect to the above proposal, and hereby submits this letter and attachments as formal supplemental comments regarding the above-referenced rate increase and tariff revisions proposed by the Rainier View Water Company, Inc. ("Rainier View"). Bethel remains opposed to the revised rate increase and tariff revisions. Based on the following reasons, Bethel requests this Commission deny or suspend the proposed tariff revision, and set this matter for public hearing:

1. Bethel is disproportionately impacted by the rate increases in a manner that is unfair, unjust, and unreasonable;
2. The shouldering of the rate increase by a public school district is not in the public interest;
3. Rainier View did not provide adequate or required notice of the proposed tariff revision and rate increase; and
4. A public hearing is required to resolve the disputed issues presented in Rainier View's proposal.

## BACKGROUND FACTS

On September 15, 2009, Rainier View filed proposed rate increases and tariff revisions with the UTC. With approximately 17,000 customers, Rainier View is the largest privately owned for-profit water service company in the state. Rainier View stated that the increase is prompted by increases in wages, medical benefits, and products used to provide services.<sup>1</sup> In its submittal, Rainier View noted that its "proposal would increase all rates by 3.4%."<sup>2</sup> Pursuant to the requirements of chapter 480-110 WAC, on September 14, 2009, Rainier View transmitted a Customer Notice to its customers advising that Rainier View filed a plan to restructure and increase its rates with the UTC and, specifically, that:

The overall effect will produce an additional \$164,487 in annual revenue for the Company or an increase of 3.40% compared to 2008 revenues.

Customer Notice at 1 (Sept. 14, 2009) (emphasis added), attached under Exhibit A. This Commission found that Rainier View did not meet its burden to support justifying the increase, and suspended the tariff filing. Complaint and Order Suspending Tariff Revisions at 1 (Oct. 15, 2009).

On February 8, 2010, the District submitted written comments, noting the significant and disparate impact the proposed tariff revisions would have on the District. The Bethel School District operates on approximately 202 square miles of property in southeast Pierce County. The population served by the District has grown in the past decade, and Bethel's student population has expanded by nearly 5,000 students in the past 10 years alone. Bethel is now the 13th largest district in the state with an enrollment of about 17,500.<sup>3</sup> Rainier View serves and provides the water supply to a majority of the District.

On May 3, 2010, without any notice to the District, Rainier View filed a new and revised tariff proposal. That same date, Rainier View submitted a request for exemption from the notice requirements under WAC 480-110-425.<sup>4</sup> In that letter, Rainier View stated that:

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<sup>1</sup> See UTC Staff Memorandum, Docket No. UW-091466 at 1 (May 13, 2010).

<sup>2</sup> Letter from Richard Finnigan to David Danner (Sept. 15, 2009).

<sup>3</sup> Bethel has 17 elementary schools (K-6), five junior high schools (7-9), three comprehensive senior high schools (10-12), an alternative junior high/high school (8-12), a transportation center, and an online academy.

<sup>4</sup> Letter from Richard Finnigan to David Danner (May 3, 2010), attached under Exhibit B.

Rainier View has committed to providing advance notice [and] . . . Rainier View will communicate with the commercial class of customers and the flat rated residential customers so that they are aware in advance before they are billed at the higher rates.

*Id.* at 1-2.

This matter was originally set on this Commission's May 13, 2010 Open Meeting Agenda. The UTC Staff Memorandum of the same date recommended approval of the May 3 revised tariff proposal. Of note, in contrast to the \$164,487 in annual revenue and 3.40% rate increase originally sought by Rainier View, and noticed to its over 17,000 customers, UTC staff concluded that the May 3 tariff revisions provides for a "revised revenue requirement of \$363,611 (8.1%) in additional revenue and revised rates." UTC Staff Memorandum, Docket No. UW-091466 at 1 (May 13, 2010).

On May 13, 2010, this Commission set over and continued this matter until the May 27, 2010 Open Meeting Agenda. During this interim period, Bethel has been diligently worked to analyze the impact to the District and communicate with staff and Rainier View in the hopes of ultimately reaching agreement as to a fair, just, and reasonable tariff revision. Given the data discrepancies and issues regarding past charges and calculations, discussed below, and the expedited and processing, on less than statutory notice, this opportunity never occurred.<sup>5</sup> It is on this basis that Bethel requested the item be continued from the May 27, 2010 Open Meeting Agenda.

### **ARGUMENT AND AUTHORITY**

The UTC was created to ensure that utility customers, including water customers, are not subject to the monopolistic elements of private water systems, upon which its customers necessarily rely. To this end, the UTC's purpose is to regulate water utilities in the public interest, RCW 80.01.040(3), and to protect consumers by ensuring that utility services are fairly priced, available, reliable and safe.

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<sup>5</sup> Letter from Joseph A. Rehberger to David Danner (May 21, 2010).

**A. Rainier View's Proposed Tariff Revisions are not Fair, Just, and Reasonable**

As the regulated utility, Rainier View bears the burden of demonstrating its proposed rate increase is fair, just, and reasonable. RCW 80.04.130(4); see also *US West Commc'ns, Inc. v Washington Util. & Transp. Comm'n*, 134 Wn.2d 74, 84-85, 949 P.2d 1337 (1998).<sup>6</sup> As the regulations further provide:

Public service companies bear the burden of proof in general rate proceedings that propose changes that would increase any rate, charge, rental, or toll, as provided in RCW 80.04.130 or 81.04.130. The burden of proof includes the burden of going forward with evidence and the burden of persuasion

WAC 480-07-540. Based on the following, Rainier View has not met this burden.

1. *Rate increase disparately impacts and disadvantages the Bethel School District.*

The District is disparately impacted by Rainier View's proposed tariff revision. The record does not show that Rainier View meaningfully considered the District's February 8, 2010 concerns and comments, or provided an analysis of the significant impact on the District. The May 13 Staff Memo concludes that "average" bills for residential customers will decrease by 2.4% and the "average" bill for commercial customers will increase by 52.1%. May 13 UTC Staff Memo at 9.<sup>7</sup> Based on these averages, the claimed "average" residential bill will decrease by approximately \$3.00 a month, and the "average" commercial bill will increase by only approximately \$24.00 a month. Rainier View relies on this analysis in purporting to show this Commission that its proposed revisions are fair, just, and reasonable. However, in relying on this analysis, Rainier View did not take into account the significant and disparate impact to the District. In stark contrast to the above "averages," UTC staff's most recent data and analysis, provided to the District last week, shows that

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<sup>6</sup> See also RCW 80.28.010(1), .270; WAC 480-80-105(3).

<sup>7</sup> The Staff Memo bases its estimation of the "average" commercial increase based on the purported average monthly commercial usage of 3,544 cubic feet and based on a 5/8-inch meter charge and associated pricing. See May 13 UTC Staff Memo at 8-9. All of the meters operated by the District are greater than 5/8", ranging in size from 1½" to 6".

Rainier View proposes to increase the District's water usage rates by greater than 116%.<sup>8</sup>

In addition to the requirement that all charges be fair, just, and reasonable, RCW 80.28.090 provides:

No . . . water company shall . . . subject any particular person, corporation or locality . . . to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

(Emphasis added); *see also* RCW 80.28.100. Rainier View's current proposed tariff revision unnecessarily and unreasonably prejudices the District and subjects it to significant disadvantages vis-à-vis other water users.<sup>9</sup> As a large, if not the largest, water user served by Rainier View, the District is impacted by Rainier View's desired rate change by a magnitude unlike any other. Comparing the rate increase Rainier View seeks to impose on the District compared to the average residential and commercial users exemplifies the extreme disparate impact.

2. *Rates must be "sufficient" and "fair, just, and reasonable."*

The District recognizes that Rainier View is entitled to a reasonable rate of return, and that UTC regulations provide that the tariff should provide for "sufficient" charges. RCW 80.28.010. First, it is interesting to note in this case that in its original and only Customer Notice, Rainier View advised its 17,000 customers that it was seeking \$164,487 in additional revenue, an increase of 3.4%. The proposal now before the Commission seeks approval of a rate structure providing for \$363,611, or nearly \$200,000 more in additional annual

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<sup>8</sup> See Exhibit C. The UTC provided analysis to the District at the May 13 hearing showing an estimated increase of 139.5% (based on 2009 data), *see* Exhibit D, and on May 18 (based on 2008 data) showing an estimated increase of 125.5%, *see* Exhibit E. The District's actual budgetary increase will be more significant than is apparent based on the 2008 data as the District brought two entire new school campuses, Nelson Elementary and Liberty Junior High on line in 2009. The District asserts that testimony at the public hearing will further make clear the financial, practical, and budgetary impact to the District.

<sup>9</sup> Rainier View asserts that, based on Bethel's 353 equivalent residential units (ERUs), that Bethel's "average" monthly bill per EUR under the new rate design will be only \$19.38. *See* Letter from Richard Finnigan to David Danner at 2 (May 21, 2010). This oversimplifies the District's actual charges. Rainier View basis this calculation on the UTC's May 19 monthly crossover summary. However, it does not include the District's fire flow and other charges, which are as high as \$522 per month Graham Kapowsin High School, including \$853.98 per month for Bethel's Shining Mountain complex.

revenue than it advised its customers it was seeking. A reduced (and phased-in) rate increase that provides less of an immediate, disparate, and crippling effect on the District could certainly be crafted by Rainier View, in a manner that is consistent with its original request for an additional \$164,487 in annual revenue. Based on the record, a tariff revision structured to decrease this impact would continue to provide Rainier View with sufficient charges and rate of return.

Second, the statutory and regulatory requirements that all charges be “just, fair, reasonable, and sufficient” are not components to be considered in isolation. Rainier View appears to be taking the position that so long as it can show it is entitled to additional revenue, then as a matter of fact and law the proposed “sufficient” charges that allow for that additional revenue are necessarily, by correlation, “just, fair, [and] reasonable.” In other words, the end justifies any means. This is not the standard. Rather, Rainier View has the affirmative burden of not only showing that the charges are “sufficient” to generate a reasonable return, but also has the burden of showing that the rates and structure used to achieve that return are “just, fair, [and] reasonable.” See RCW 80.04.130(4); see also *US West Commc’ns, Inc.*, 134 Wn.2d at 84-85. Here, Rainier View seeks to increase rates based on its own stated justification that increases in wages, medical benefits, and products used to provide services have increased and need to be recovered.<sup>10</sup> The majority of these types of overhead, operation and maintenance, and staff costs are attributable to the Rainier View’s service of 17,000 customers, and over 15,000 residential customers. Despite this fact, while seeking to raise the District’s rates by 116%, Rainier View’s proposed tariff revision actually *decreases* the average residential charges to its customers. A true fair, just, and reasonable rate increase would more equitably raise rates among all users, instead of seeking to place the most significant burden on the District.

3. *Municipal water rate charges provide examples of varied rate structures used to achieve fair, just, and reasonable rates.*

A cursory review of several western Washington municipal rate structures reveals examples of how rate structures accommodate for public entities, such as the District here, a more equitable share of the costs of water services.

For example, some municipalities separately categorize and charge general commercial users and governmental users that serve the public interest. For example, the City of Vancouver provides for a separate customer classification

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<sup>10</sup> See UTC Staff Memorandum, Docket No. UW-091466 at 1 (May 13, 2010).

for "government" water users, as distinguished from residential, commercial, and industrial users. See Vancouver Municipal Code (VMC) 14.04.210. Based on this differentiation, in Vancouver, the volume, or usage, charge differs for each classification with the government classification charged at the lowest rate, of \$1.13/CCF. *Id.* This reduced rate represents a 14.4% decreased rate as compared to industrial users, and an 11% decreased rate compared to general commercial users. *Id.* Similarly, the City of Lacey recognizes and provides that publicly owned recreation property including "school district playfields" shall not be billed at the higher irrigation rate charges, provided certain conditions are met. Lacey Municipal Code (LMC) 13.32.030(E).

Other municipalities, such as the City of Tacoma and the City of Everett, provide for discounts for large volume water users. Tacoma's rate structure providing a volume price break for otherwise commercial customers whose use represents "large volume service," based on an established consumption history greater than 65,000 hundred cubic feet (CCF) annually. Tacoma's volume discount provides for a per cubic foot usage charge at rates ranging from 7.4% to 11.3% less than the standard usage charge. See Tacoma Municipal Code (TMC) 12.10.400. Similarly Everett also provides a commercial volume discount, providing for a 66% reduction in per CCF charges for usage over that 15,000 cubic feet (\$1.92 per CCF for 600 to 3,000 cu. ft. and \$0.65 per CCF for use over 15,000 cu. ft.). See Everett Municipal Code (EMC) 14.16.711 (rates as of Jan. 1, 2010).

Consideration of a rate structure that takes into account the unique nature of the school District, as well as its unique public purposes and utility, could be implemented to create a revised rate structure that is in truly fair, just, and reasonable as to the District, and in the public interest.

**B. The Revised Tariff's Impact on the School District is Not in the Public Interest**

Public schools serve as essential public facilities,<sup>11</sup> and increasing the District's water usage rates by 116%, and at double the increase for the average commercial user, is injurious to the public interest. RCW 80.01.040(3).

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<sup>11</sup> The state has recognized schools as "public facilities" for such purposes as growth management. RCW 36.70A.030(13); see also Pierce County Comprehensive Plan; see also WAC 365-196-550 (noting state educational facilities are "essential public facilities" under the GMA).

First, Bethel has not been immune to the local and state budget issues facing our communities, and specifically, our local school districts. Of note, earlier this month Bethel School Board was compelled to authorize the use of \$4.2 million from the District's reserve fund to offset projected state revenue shortfalls, prevent further budget reductions, protect student programs, and minimize the need for a reduction in force for certified staff. Despite the hope that this authorization would avoid teacher layoffs, the District has now had to issue reduction-in-force (RIF) notices to nine teachers in the District.

Second, while the District is and has been committed to sound water usage and conservation practices, at the same time water usage is a required component of it fulfilling its purpose. The District's water use serves a vital public interest in meeting the education needs of the state's students, as well as providing a valuable community need and asset through the operation and maintenance of playfields, sport fields, and expansive grounds that serve the public and are a central component of school-life and community expectations. Rainier View inexplicably dismisses this central public purpose in responding that the District could "save considerable sums of money" if only it determined that did not need "lush, green lawns."<sup>12</sup> Rainier View's simplistic characterization of the District's water usage practices, as only supporting "lush, green lawns," exemplifies the lack of careful consideration that was given the impact to the District, and the corresponding effect on the students and communities it serves.<sup>13</sup>

Third, the proposed immediate and drastic (116%) rate increase does not take into account the District's budgetary process, or permit any District planning in this regard. Rainier View's proposal, submitted on May 3, 2010, requests revised rates go into effect immediately, and be implemented beginning June 1. Simply put, it would be impossible for Bethel, given its strict budgetary process, to budget for the dramatic increase proposed to its rates. The District and community use of the Bethel fields serves a vital public interest, and a 116% rate increase would directly impede and disrupt that interest. Further, given the budgetary deficit discussed above, any rate increase would come directly out of the classrooms and critical educational needs. Rainier View's

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<sup>12</sup> Letter from Richard Finnigan to David Danner (May 20, 2010).

<sup>13</sup> Rainier View, seemingly again failing to recognize the nature of the school district's operations, suggests the District simply "allow[ ] its lawns to become a little less green." Letter from Richard Finnigan to David Danner at 2 (May 21, 2010). The school District provides and essential community asset, one that supports school and youth sports and activities. Allowing its athletic fields to go fallow would hamper its ability to meet community needs and result in increased costs and usage necessary to rejuvenate the same for fall sports, which commence in the summer months. It is not a "Street of Dreams" development.



proposal provides for immediate implementation, at the beginning of the summer irrigation season, and in advance of summer and fall sports, without any phased approach to lessen the immediate dramatic impact.

Bethel notes for the record that Rainier View serves other schools, including the Puyallup School District ("Puyallup"). Like Bethel, the Puyallup School District is likely to experience estimated rate increases of approximately 115%. There is no indication in the record that Rainier View provided Puyallup any notice other than the initial customer notice, advising that the company was seeking an increase of 3.4% in revenues, or that Rainier View or the UTC staff considered the significant impact to Puyallup.

In sum, this serious public interest concern warrants denial of Rainier View's proposed tariff revisions, and, if necessary, consideration of an alternative rate design or structure that both serves the public interest and is fair, just, and reasonable, including a reduced charge and a phased-in approach providing for a more gradual increase.

### **C. Rainier View Did Not Provide Sufficient Notice of Its Proposed Tariff Revisions**

Rainier View has not provided sufficient notice of its proposed tariff revisions. The notice and opportunity to comment have been inherently unfair and prejudicial to the District, despite Rainier Views and the UTC staff knowledge of the District's strong interest in the tariff proposal. While Rainier View has had an indefinite amount of time to draft the tariff proposal filed in September 2009, and then approximately 7 months to work with UTC staff to arrive at a new tariff proposal, the District has been limited to less than a week to respond to complicated and as we now know inaccurate assumptions regarding the impact of the rates on the commercial customers. Because of the apparent significant impact, the magnitude of the data, and the lack of opportunity for the District to analyze the rate increase, Bethel requests this Commission deny Rainier View's request that this matter be allowed to proceed on less than statutory notice.

First, Rainier View has provided one formal notice to its customers that it was proposing a general rate increase, noticing that the Company sought an increase, "the overall effect" of which was designed to "produce an additional \$164,487 in annual revenue for the Company or an increase of 3.40% compared to 2008 revenues." This is the only Customer Notice the District is aware of in the record. The proposed tariff revisions before the Commission now provide for the "average" commercial user's usage rates to increase by

52.1%, and provide for additional revenue to the Company of \$363,611. Simply put, the September 14, 2009 Customer Notice did not provide a fair and accurate representation of the actual rate increase and additional revenue sought by Rainier View.

Second, Rainier View did not timely submit its subsequent proposed tariff revisions of May 3, 2010. UTC regulations mandate that “[t]he commission must receive tariff changes not less than thirty days in advance of the requested effective date.” WAC 480-80-121. On May 3, Rainier View submitted substantial proposed changes to its tariff charges, requesting an effective date of June 1, 2010. It is undisputed that Rainier View did not submit these changes 30 days in advance of the requested effective date. Further, UTC regulations provide that “[c]ustomers must receive notice thirty days before the requested effective date when a water company proposes to . . . increase rates . . . [or] [c]hange the terms and/or conditions of an existing service.” WAC 480-110-425(3). Rainier View’s May 3 filing sought to substantially change the terms and conditions, including the way rates were calculated, of Bethel’s existing service. Rainier View provided no notice to Bethel of these proposed changes. Rainier View has not complied with the statutory notice procedures required by chapter 480-110 WAC and chapters 480-80 WAC, and has not made a compelling case as to why this case, which affects 17,000 customers and disparately impacts the 13th largest school district in the state, should proceed on less than the required statutory notice.

Third, in requesting that the Commission permit the proposed tariff revisions to go into effect on less than statutory notice, Rainier View, on that same date, submitted a request for exemption from the notice requirements under WAC 480-110-425. In that letter, Rainier View stated that, despite the lack of formal notice, it “has committed to providing advance notice” to its customers and, further, that Rainier View will communicate with the commercial class of customers and the flat rated residential customers so that they are aware in advance before they are billed at the higher rates.”<sup>14</sup> Rainier View now concedes that, under the revised tariff submitted May 3, “some customers may receive a higher increase in rates than contemplated by the company’s original filing.” There is no evidence in the record showing Rainier View provided required or other notice to these customers of the increase.<sup>15</sup> Of note, notice to customers is required to ensure customers have sufficient time, notice, and

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<sup>14</sup> Letter from Richard Finnigan to David Danner (May 3, 2010), attached under Exhibit F.

<sup>15</sup> Letter from Richard Finnigan to David Danner (May 21, 2010).

opportunity to review the proposal, raise questions with the UTC, and provide comments on the proposal. See WAC 480-110-425(4)(d) and (e).<sup>16</sup>

Finally, UTC regulations provide that tariff changes may proceed on less than statutory notice only upon an affirmative showing of “good cause,” and the company “must include with its filing a complete explanation of the reasons that support such treatment.” WAC 480-07-500(5) (emphasis added). Bethel asks the Commission to consider what showing Rainier View has made in this regard, and to balance that showing against the apparent impact of the increase on numerous customers, including the District.

In sum, the District has not had sufficient notice, time, and opportunity to review and comment on these revisions. Bethel has not been provided the due process required under the UTC’s own rules and regulations, and otherwise provided by law, with respect to this proposal.

#### **D. A Public Hearing is Required to Resolve Disputed Issues**

Bethel requests this Commission deny the proposed tariff revision as Rainier View has not met its burden. In the alternative, Bethel respectfully requests this Commission suspend the tariff revisions and set and hold public hearings to (a) determine whether the proposed tariff revisions and rate increases are fair, just, reasonable, and sufficient, and (b) to resolve material questions of fact as to the data, the additional revenue, and the unanswered questions related to the purported impact on the District.

First, based on the above, a hearing is necessary for this Commission to determine whether the proposed tariff revision and rate increases are not only sufficient but are fair, just, and reasonable as to Rainier View’s customers, and in the public interest.

Second, the expedited nature of this request, and it being processed on less than statutory notice, coupled with the magnitude of data, has led to numerous issues related to the data and calculations relied on to support the proposed revisions and to quantify the impact to the District. For example:

1. Since the May 13, 2010 Open Meeting, in apparent collaboration with Rainier View, the UTC supplied the District with several analyses

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<sup>16</sup> UTC staff has preliminarily indicated that approximately 55 customers would experience annual bill increases under the May 3, 2010 proposal from Rainier View’s September 15, 2009 proposal. See May 13, 2010 UTC Staff Memo at 5.

purporting to quantify the impact to the District. On May 18, the UTC provided the District with a usage summary showing 5,724,100 cubic feet of water usage, based on 2008 data, and calculating an impact to the District to be an increase of 125.5%. The District identified several discrepancies in the numbers and was unable to reconcile the UTC's data with the District's actual billing records. In response to the District's inquiries, at the end of the day on May 19, UTC staff provided the District with a revised chart, now showing 4,100,300 cubic feet of water usage, a decrease of 1.6 million cubic feet.<sup>17</sup>

2. In the UTC's May 19 chart, provided the District, the District showed a total estimated usage charge of \$82,105.90 under the revised tariff, based on 2008 data. However, this estimated charge did not equate to the total usage charge shown on the following summary page, showing \$87,650.00, based on the same quantity of usage.<sup>18</sup>

3. There remains continuing uncertainty regarding how Rainier View and the UTC interpret applicable charges related to compound meters at several school sites. It is the District's understanding that the UTC, in its May 19 analysis, combined compound meter usage and charged the meter rate for only the larger meter. However, in reviewing its historic billing records, the District discovered that Rainier View has not consistently applied this method. For example, 2008 billing records show that Rainier View has not been consistently applied. Looking at two sample schools with compound meters, it appears that Centennial is charged a meter charge for each (compound) meter, and Graham is charge a single meter charge for both (compound) meters.<sup>19</sup> Neither the UTC nor Rainier View has provided the District with a written response as to how these compound meter sites will actually be calculated charged under the revised tariff.<sup>20</sup>

4. At the May 13 Open Meeting, UTC staff provided the District with a table analysis which helped elucidate some District calculation and formula errors related to the materials submitted by the District on May 12, 2010.<sup>21</sup> As part of that Table, the UTC staff provided their own analysis of the actual

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<sup>17</sup> Compare Exhibit E (table provided May 18, 2010) with Exhibit C (table provided May 19, 2010)

<sup>18</sup> See Exhibit C (for complete workbook see attachment submitted together with letter from Joseph A. Rehberger to David Danner dated May 21, 2010).

<sup>19</sup> Sample 2008 billing records for Centennial and Graham Elementary, together with cover summary pages, are attached hereto under Exhibit G.

<sup>20</sup> Compare Exhibit C (table provided May 19, 2010) with Exhibit G (actual billing records)

<sup>21</sup> A copy of this May 13, 2010 table chart is attached hereto under Exhibit D.

impact to the District under Rainier View's revised proposal. Based on 2009 data, the UTC estimated a 139.5% increase. Additionally, the UTC estimated that the monthly usage charge for Graham-Kapowsin High School for the month of March 2009, based on 1,500 cubic feet of water usage would be calculated to be \$47.05 (under current tariff), \$758.27 (under company's 5/09 proposal), and \$593.87 (under Company's 5/10 proposal). In the more recent May 19 summary provided the District, the UTC estimates calculated charges for Graham-Kapowsin High School for January 2008, again based on the same 1,500 cubic feet of water usage to be \$24.30 (under current tariff), \$389.50 (under company's 5/09 proposal), and \$301.50 (under Company's 5/10 proposal).<sup>22</sup>

5. The May 19 summary chart the UTC provided the District continues to differ from the actual charges Rainier View charged the District in 2008. For example, the UTC chart shows January 2008 charges for Centennial (3" meter ID 4217929 and low flow ID 4217929C), under the current tariff structure, to be \$49.80 when the actual water usage charge Rainier View charged the District was \$61.35. Similarly, the UTC chart shows January 2008 charges for Graham Elementary (3" meter ID 31908340A and low flow ID 31908340B), under the current tariff structure, to be \$30.25 when the actual water usage charge Rainier View charged the District was \$41.80.<sup>23</sup>

6. In reviewing the historic data, Bethel is investigating that it may currently be being undercharged for water usage at Graham-Kapowsin High School, and has informed Rainier View of this fact. If this is confirmed, this correction alone would significantly increase the District's water usage charges, and by correlation, the Company's revenue.

7. Based on the significant discrepancy between Rainier View's stated request for and notice to its customers of a desired and anticipated revenue increase of \$164,487, annually, and the UTC staff's current conclusion that the proposed revised tariff would generate a revenue increase of \$363,611, annually, further investigation and explanation is necessary for the record to support a conclusion that the proposed rate increase is fair, just,

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<sup>22</sup> Compare Exhibit C (table provided May 19, 2010) with Exhibit D (table provided May 13, 2010). Despite requests, the neither Rainier View nor the UTC responded to the District's requests to clarify why these resulting calculations would differ.

<sup>23</sup> Compare Exhibit C (table provided May 19, 2010) with Exhibit H (actual sample Rainier View Water Company 2008 invoices for Centennial and Graham Elementary (February 2008)).

reasonable, and sufficient. This increase in additional generated revenue is striking.

Based on the limited time the District has been afforded to consider the revised proposal, and the difficulty all parties have had in analyzing the current and proposed charges to the District, and the potential impact to the District, it is evident that significant questions remain.<sup>24</sup> These questions and unresolved issues alone justify setting this matter for a full public hearing so that all parties may have a fair opportunity to discern whether the proposed revisions are fair, just, reasonable, and sufficient. Based on the record before the Commission today, Rainier View has not met its burden.

#### **E. Response Regarding Communications Issues and Motion to Continue Public Meeting**

Finally, by letter of today's date, May 24, 2010, Rainier View submitted a letter regarding its communications with the school District. For purposes of clarifying the record, contrary to the assertions made in Rainier View's counsel's letter of May 24, 2010, Bethel emailed Rainier View, Rainier View's counsel, and the UTC three times, beginning Monday May 17, noting the need to reschedule a meeting of the parties. See Exhibit I (emails of May 17, May 18, and May 18). Only after Bethel received no response from Rainier View (and UTC staff indicated the matter would be considered on May 27) did Bethel file its formal request to continue the Open Meeting setting. Compare Letter of Richard Finnigan to David Danner (May 24, 2010) with Exhibit I.<sup>25</sup>

#### **F. Record Before Commissioners**

Bethel respectfully moves that the entire the UTC file under Docket No. UW-091466 and Docket No. UW-100830,<sup>26</sup> including the documents,

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<sup>24</sup> A sampling of the email correspondence between the parties subsequent to the May 13, 2010 Open Meeting demonstrate the effect the lack of regular notice had on the District's ability to quantify the impact. See, e.g., Exhibit I.

<sup>25</sup> When Rainier View did respond, by email on May 20, 2010, it simply asked whether the school district would "agree to reimburse Rainier View the approximately \$30,000 per month it will lose for each month this is delayed." See Exhibit I (email from Richard Finnigan dated May 20, 2010).

<sup>26</sup> Just today, upon its own investigation, Bethel became aware that on May 13, 2010, Rainier View filed revised tariff pages together with a further request for adoption on less than statutory notice under Docket No. UW-1000830. While the cover page accompanying that filing requests the tariff revision take effect June 1, 2010, the revised tariff page contains an effective date of June 13, 2010.

correspondence, worksheets, and other documents in the UTC staff files, be added to and considered by the Commissioners as part of the record in this matter.

### **CONCLUSION AND REQUEST FOR RELIEF**

Bethel recognizes Rainier View's right to achieve a reasonable rate of return. However, Rainier View has not met its burden of showing that the current proposed significant increases are fair, just, and reasonable. The Commission should not approve a rate structure and tariff that places a significant portion of Rainier View's desired revenue burden on the District. Rainier View's May 3 filing provides that average residential rates will *decrease* by 2.4% and commercial rates will increase by 52%. Yet, Rainier View proposes an estimated 116% increase to the District, alone.

Furthermore, given the District's strict budgetary process and associated educational planning, the District requests that any rate increase, whether adopted by the Commission now or after the above requested public hearing, include a required phased rate increase that would permit rate increases of no more than 10% per year to the District, until the final approved rate increase is reached. Absent such a fair and modified structure, Bethel's ability to both pay the increased rates and meet the critical educational and community needs that it serves would be not just burdensome, but cripple its efforts to fulfill its public mission.

Bethel respectfully requests this Commission deny the proposed rate increase and tariff revision. Alternatively, Bethel requests this Commission again suspend the tariff revision and order this matter be set for hearing. Based on the facts presented, the Company has not met its burden of showing that the proposed rate increase is fair, just, and reasonable.

Finally, if this Commission denies the District's relief requested and permits Rainier View's tariff revisions to move forward, the District respectfully requests this Commission order that the effective date of the tariff revisions be stayed pending the District's timely appeal. WAC 480-07-860; *see also* RCW 34.05.550(1) ("Unless precluded by law, the agency may grant a stay, in whole or in part, or other temporary remedy.").

David Danner  
May 24, 2010  
Page 16

We look forward to presenting additional testimony and comments at the Open Meeting, and answering any questions the Commission may have. Thank you for your time and careful consideration of this issue.

Sincerely,



Joseph A. Rehberger  
Direct Line: (360) 786-5062  
Email: [jrehberger@cascadialaw.com](mailto:jrehberger@cascadialaw.com)  
Office: Olympia

JR:en

Enclosures – Exhibits A through I

cc: Jim Ward, Regulatory Analyst  
Dennis Shulter, Consumer Protection Staff  
Richard Finnigan, Counsel for Rainier Water View Company



# Exhibits A through I

Exhibits to Bethel School District's Second Supplemental Comments to  
Proposed Rate Increase and Tariff Revisions Docket # UW-091466 Rainier View  
Water Company, Inc., submitted May 24, 2010

# Exhibit A

September 14, 2009

### IMPORTANT NOTICE

Rainier View has filed for approval from the Washington Utilities and Transportation Commission (commission) a plan to restructure its rates and for an overall increase in its rates. If approved, the new rates will be effective on October 16, 2009.

The filing is the second step of a two-step process to restructure the Company's rates. The first step occurred earlier this year when the Company filed to reduce the treatment surcharge from \$3.29 to \$1.81 per month. The reduction was approved by the commission and is effective as of July 17, 2009.

This second step will remove the generator surcharge of \$0.61 per month and increase basic rates. The overall effect will produce an additional \$164,487 in annual revenue for the Company or an increase of 3.40% compared to 2008 revenues. The table set out below shows the net effect of the decreases and increases on the average customer's monthly bill.

<u>Average Customer</u>	<u>Existing Monthly Bill</u>	<u>Proposed Monthly Bill</u>
Metered Customer	\$24.75	\$25.78
Flat Customer	\$23.80	\$25.81

Below is a schedule that shows how the individual rates are proposed to change:

<u>Residential Charge</u>	<u>Existing Rate</u>	<u>Proposed Rate</u>
Treatment Surcharge	\$3.29	\$1.81*
Generator Surcharge	\$0.61	\$0.00
Metered Base Rate		
¾" Meter or less	\$15.80	\$12.20
1" Meter (35 customers)	\$15.80	\$18.15
Monthly Usage		
0-500 cubic feet per 100 cubic feet or portion thereof	N/A	\$0.90
Over 500-3000 cubic feet per 100 cubic feet or portion thereof	\$0.85	\$1.85
Over 3000 cubic feet, per 100 cubic feet or portion thereof.	\$5.00	\$5.00
Flat Rate (Unmetered)	\$19.90	\$24.00
<u>Commercial/Schools</u>	<u>Existing Rate</u>	<u>Proposed Rate</u>
Treatment Surcharge	\$3.29	\$1.81*
Generator Surcharge	\$0.61	\$0.00
Metered Base Rate		

1" Meter or less	\$15.80	\$18.30
1 1/2" Meter	\$15.80	\$36.60
2" Meter	\$15.80	\$97.60
3" Meter	\$15.80	\$109.80
4" Meter	\$15.80	\$183.00
6" Meter	\$15.80	\$366.00
8" Meter	\$15.80	\$978.00
Monthly Usage		
0-500 cubic feet per 100 cubic feet or portion thereof	N/A	\$1.00
Over 500 cubic feet per 100 cubic feet or portion thereof	\$0.85	\$1.85

\*This surcharge, even at the lower rate, expires in approximately three years.

The Company's last general rate increase occurred in 2001. In the eight years since then, there have been increases in wages, medical benefits, cost of chemicals used for treatment, and most products used to provide service.

If you have any questions about the proposed filing and how it will affect you, please call the Company at (253) 537-6634.

The commission has the authority to set rates that may vary from the company's request, depending on the outcome of its investigation. Commission staff will make a recommendation to the commissioners at an open meeting in Olympia, which is scheduled for 9:30 a.m. on October 15, 2009. You will have an opportunity to comment in person at this meeting. If you are unable to attend the open meeting, the commission has a bridge line which enables you to participate by telephone. Call 360-664-1234 the day before the open meeting for instructions and to sign in. You can also comment by using the "Public Comment" feature at the commission's web site, at [utc.wa.gov](http://utc.wa.gov), or by using the contact information below.

Washington Utilities and Transportation Commission  
1300 S Evergreen Park Drive SW  
Post Office Box 47250  
Olympia, WA 98504-7250  
E-mail: [comments@utc.wa.gov](mailto:comments@utc.wa.gov)  
Telephone: 1-888-333-WUTC (9882)

Sincerely,

Rainier View Water Co., Inc.

# Exhibit B

Law Office of  
Richard A. Finnigan  
2112 Black Lake Blvd. SW  
Olympia, Washington 98512  
Fax (360) 753-6862

Richard A. Finnigan  
(360) 956-7001  
rickfinn@localaccess.com

Kathy McCrary, Paralegal  
(360) 753-7012  
kathym@localaccess.com

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May 3, 2010

**VIA E-MAIL AND HAND DELIVERY**

David Danner, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive SW  
Olympia, WA 98504-7250

Re: Rainier View Water Company, Inc. – Docket No. UW-091466 -  
Substitute Sheets - Twelfth Revised Sheet No. 2 Canceling  
Eleventh Revised Sheet No. 2; Eleventh Revised Sheet No. 21  
Canceling Tenth Revised Sheet No. 21; Fourth Revised Sheet No.  
21.1 Canceling Third Revised Sheet No. 21.1; Third Revised Sheet  
No. 21.2 Canceling Second Revised Sheet No. 21.2; Original Sheet  
No. 21.3; Original Sheet No. 21.4; Original Sheet No. 21.5; Original  
Sheet No. 21.6; Original Sheet No. 21.7; Ninth Revised Sheet No.  
32 Canceling Eighth Revised Sheet No. 32; First Revised Sheet No.  
35.1 Canceling Substitute Original Sheet No. 35.1 - **DO NOT RE-  
DOCKET**

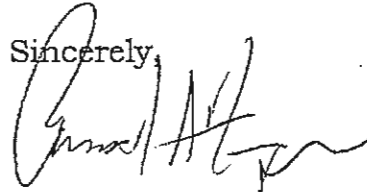
Dear Mr. Danner:

Enclosed are the original and three copies of the above-referenced substitute sheets. The purpose of this filing is to implement the rate design agreed between Commission Staff and the Company for the above-referenced docket.

David Danner  
May 3, 2010  
Page 2 of 2

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Finnigan", written in a cursive style.

RICHARD A. FINNIGAN

RAF/km  
Enclosures

cc: Bob Blackman (via e-mail)  
Doug Fisher (via e-mail)

# Exhibit C







Nov	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Dec	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
<b>Total</b>	<b>0</b>	<b>\$180.00</b>	<b>517.7%</b>	<b>\$1171.20</b>	<b>-52.7%</b>	<b>\$554.00</b>	<b>192.4%</b>
<b>NEILSON ELEM DOMESTIC 2" METER ID 6564782 &amp; LOW FLOW ID 5821873</b>							
<b>NO USAGE UNTIL 2009</b>							
Jan	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Feb	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Mar	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Apr	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
May	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Jun	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Jul	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Aug	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Sep	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Oct	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Nov	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
Dec	0	\$15.00	517.7%	\$07.00	-52.7%	\$46.00	192.4%
<b>Total</b>	<b>0</b>	<b>\$180.00</b>	<b>517.7%</b>	<b>\$1171.20</b>	<b>-52.7%</b>	<b>\$554.00</b>	<b>192.4%</b>
<b>Total District</b>	<b>4,100,000</b>	<b>\$11,984.50</b>	<b>197.0%</b>	<b>\$61,070.00</b>	<b>-71.6%</b>	<b>\$82,107.00</b>	<b>116.7%</b>

# Exhibit D

2009 Data	Usage in Cu.Ft	Current Monthly Bill	Sept 2009 Proposed Monthly Bill	May 2010 Revised Monthly Bill	May 2010 District Monthly Bill	Revised vs. District
<b>North Star (2431956)</b>						
Jan	0	\$19.70	\$111.61	\$88.44	\$175.07	-49.5%
Feb	0	\$19.70	\$111.61	\$88.44	\$175.07	-49.5%
Mar	0	\$19.70	\$111.61	\$88.44	\$175.07	-49.5%
Apr	800	\$22.25	\$122.16	\$95.24	\$328.07	-71.0%
May	6,100	\$67.30	\$220.21	\$140.29	\$328.07	-57.2%
Jun	21,000	\$193.95	\$495.86	\$344.94	\$868.07	-60.3%
Jul	55,300	\$485.50	\$1,130.41	\$926.39	\$2,169.49	-57.3%
Aug	66,500	\$584.70	\$1,337.61	\$1,167.19	\$2,410.29	-51.6%
Sep	10,100	\$101.30	\$294.21	\$181.44	\$377.57	-51.9%
Oct	52,500	\$461.70	\$1,078.61	\$866.19	\$2,109.29	-58.9%
Nov	0	\$19.70	\$111.61	\$88.44	\$175.07	-49.5%
Dec	0	\$19.70	\$111.61	\$88.44	\$175.07	-49.5%
Total		\$2,011.20	\$5,237.12	\$4,163.82	\$9,466.20	-56.0%
Percent Increase from Current Monthly Bill			160.4%	107.0%	370.7%	
<b>North Star (1547015)</b>						
Jan	4,700	\$55.40	\$194.31	\$128.39	\$348.84	-63.2%
Feb	7,500	\$79.20	\$246.11	\$152.19	\$429.84	-64.6%
Mar	6,700	\$72.40	\$231.31	\$145.39	\$405.84	-64.2%
Apr	5,500	\$62.20	\$209.11	\$135.19	\$369.84	-63.4%
May	7,500	\$79.20	\$246.11	\$152.19	\$429.84	-64.6%
Jun	7,500	\$79.20	\$246.11	\$152.19	\$429.84	-64.6%
Jul	4,400	\$52.85	\$188.76	\$125.84	\$348.84	-63.9%
Aug	1,300	\$26.50	\$131.41	\$99.49	\$348.84	-71.5%
Sep	1,500	\$28.20	\$135.11	\$101.19	\$348.84	-71.0%
Oct	6,400	\$69.85	\$225.76	\$142.84	\$396.84	-64.0%
Nov	5,500	\$62.20	\$209.11	\$135.19	\$369.84	-63.4%
Dec	6,900	\$74.10	\$235.01	\$147.09	\$411.84	-64.3%
Total		\$741.30	\$2,498.22	\$1,617.12	\$4,639.08	-65.1%
Percent Increase from Current Monthly Bill			237.0%	118.1%	525.8%	
<b>Frontier Jr (384081)</b>						
Jan	8,400	\$86.85	\$262.76	\$159.84	\$561.14	-71.5%
Feb	10,800	\$107.25	\$307.16	\$191.94	\$652.34	-70.6%
Mar	12,500	\$121.70	\$338.61	\$217.44	\$728.84	-70.2%
Apr	10,400	\$103.85	\$299.76	\$185.94	\$634.34	-70.7%
May	13,500	\$130.20	\$357.11	\$232.44	\$773.84	-70.0%
Jun	185,300	\$1,596.30	\$3,535.41	\$3,721.39	\$5,207.75	-28.5%
Jul	260,300	\$2,228.00	\$4,922.91	\$5,333.89	\$6,820.25	-21.8%
Aug	268,800	\$2,300.25	\$5,080.16	\$5,516.64	\$7,003.00	-21.2%
Sep	11,400	\$112.35	\$318.26	\$200.94	\$679.34	-70.4%
Oct	90,000	\$780.45	\$1,772.36	\$1,672.44	\$3,158.80	-47.1%
Nov	32,400	\$290.85	\$706.76	\$515.94	\$1,624.34	-68.2%
Dec	10,400	\$103.85	\$299.76	\$185.94	\$634.34	-70.7%
Total		\$7,956.10	\$18,201.02	\$18,134.72	\$28,478.32	-36.3%
Percent Increase from Current Monthly Bill			128.8%	127.9%	257.9%	
<b>Graham (70136611 &amp; 136641)</b>						
Jan	1,800	\$49.60	\$763.82	\$596.42	\$625.74	-4.7%
Feb	1,300	\$46.20	\$755.42	\$592.17	\$621.49	-4.7%
Mar	1,500	\$47.05	\$758.27	\$593.87	\$623.19	-4.7%
Apr	1,700	\$47.90	\$761.12	\$595.57	\$624.89	-4.7%
May	2,636	\$54.16	\$776.74	\$603.53	\$632.85	-4.6%
Jun	184,206	\$1,596.65	\$4,134.93	\$3,297.37	\$6,185.28	-46.7%
Jul	144,621	\$1,260.18	\$3,402.61	\$2,504.80	\$4,808.73	-47.3%
Aug	261,600	\$2,254.50	\$5,566.72	\$4,961.42	\$9,030.24	-45.1%
Sep	113,881	\$998.89	\$2,833.92	\$2,072.36	\$3,680.24	-43.7%
Oct	30,483	\$290.91	\$1,291.06	\$849.23	\$1,015.78	-17.3%
Nov	1,712	\$48.85	\$762.19	\$595.67	\$647.41	-8.0%
Dec	1,713	\$48.86	\$762.21	\$595.68	\$647.44	-8.0%
Total		\$6,742.84	\$22,569.00	\$17,880.08	\$29,143.28	-38.6%
Percent Increase from Current Monthly Bill			234.7%	165.2%	332.2%	
<b>Grand Total</b>		<b>\$17,451.44</b>	<b>\$48,505.36</b>	<b>\$41,795.74</b>	<b>\$71,726.88</b>	<b>-41.7%</b>
			177.9%	139.5%	311.0%	

# Exhibit E

**Bethel School District - Annual Bill Crossover - 2008 Data**

Name	Meter Size	Usage in Cu.Ft.	Current Yearly Bill	Proposed vs. Current	Sept. 2009 Proposed Yearly Bill	Revised vs. Proposed	May 2010 Revised Yearly Bill	Revised vs. Current
Graham (98727900)	1 1/2-inch	78,700	\$807.55	128.4%	\$1,844.15	-29.5%	\$1,300.80	61.1%
Liberty (6534428)	1-inch	190,200	\$1,755.30	110.1%	\$3,687.30	-1.5%	\$3,630.75	106.8%
Nelson (6564785)	2-inch	100	\$189.60	518.2%	\$1,172.20	-52.6%	\$555.25	192.9%
Centennial (3763917)	2-inch	73,300	\$770.15	222.6%	\$2,484.75	-44.3%	\$1,382.85	79.6%
Liberty (6765693)	2-inch	245,800	\$2,227.90	154.4%	\$5,667.50	-31.2%	\$3,897.55	74.9%
North Star (2431956)	2-inch	619,400	\$5,407.75	132.7%	\$12,583.35	-6.1%	\$11,812.30	118.4%
Nelson (6564782)	2-inch	615,600	\$5,375.45	132.8%	\$12,513.05	-2.0%	\$12,266.85	128.2%
Cougar Mtn (3311134)	5/8-inch	0	\$189.60	-22.8%	\$146.40	-5.3%	\$138.60	-26.9%
Pioneer Valley (4353605)	5/8-inch	0	\$189.60	-22.8%	\$146.40	-5.3%	\$138.60	-26.9%
Pioneer Valley (5209923)	5/8-inch	400	\$189.60	-20.9%	\$150.00	-5.3%	\$142.00	-25.1%
Cougar Mtn (3311133)	5/8-inch	60,600	\$654.55	229.9%	\$2,159.60	-44.5%	\$1,197.75	83.0%
Frontier (1384081)	3-inch	17,300	\$285.65	455.5%	\$1,586.65	-25.2%	\$1,186.55	315.4%
Liberty (6573729)	3-inch	58,700	\$641.80	267.2%	\$2,356.80	-34.7%	\$1,538.45	139.7%
Rocky Ridge (1170458)	3-inch	65,800	\$697.90	255.9%	\$2,483.90	-35.6%	\$1,598.80	129.1%
Pioneer (9603624A)	3-inch	80,600	\$823.70	234.8%	\$2,757.70	-35.7%	\$1,774.00	115.4%
Graham (31908340A)	3-inch	84,700	\$858.55	230.0%	\$2,833.55	-37.0%	\$1,785.45	108.0%
Elk Plain (Elk Plain)	3-inch	343,600	\$3,059.20	149.2%	\$7,623.20	-28.0%	\$5,491.50	79.5%
North Star (1547015)	3-inch	397,900	\$3,520.75	145.1%	\$8,627.75	-14.0%	\$7,420.10	110.8%
Centennial (Meter A)	3-inch	1,277,100	\$10,993.95	126.4%	\$24,892.95	-1.0%	\$24,655.00	124.3%
Shining Mtn (17851453)	4-inch	0	\$189.60	1058.2%	\$2,196.00	-21.1%	\$1,732.50	813.8%
Shining Mtn (17851454)	4-inch	407,300	\$3,600.65	168.8%	\$9,680.05	-24.9%	\$7,265.45	101.8%
Cougar Mtn (60774544)	4-inch	528,900	\$4,634.25	157.4%	\$11,929.65	-22.0%	\$9,303.30	100.8%
Graham (136641)	6-inch	28,400	\$380.00	1180.6%	\$4,866.40	-23.8%	\$3,706.40	875.4%
Cougar Mtn (61097474)	6-inch	31,300	\$438.65	1029.4%	\$4,954.05	-24.7%	\$3,731.05	750.6%
Graham (70136641)	6-inch	518,400	\$4,565.40	205.6%	\$13,951.80	-23.8%	\$10,635.85	133.0%
<b>Total District</b>		<b>5,724,100</b>	<b>\$52,447.10</b>	<b>173.2%</b>	<b>\$143,295.15</b>	<b>-17.5%</b>	<b>\$118,287.70</b>	<b>125.5%</b>

**Summary of Non-Residential Customers**

	No. Meters	Annual Bill (\$)	Annual Usage (cu.ft.)	Monthly AVG.
Bethel School District (BSD)	31	\$ 118,288	5,724,100	19,080
			24.4%	25.6%
All Other Non-Residential (excluding BSD)	439	\$ 367,232	16,661,000	3,120
			75.6%	74.4%
<b>Total Non-Residential</b>	<b>470</b>	<b>485,520</b>	<b>22,385,100</b>	<b>4,328</b>

Monthly Bill Comparison - Bethel School District

2008 Data	Usage in Cu.Ft.	Current Monthly Bill	Proposed vs Current	Sept. 2009 Proposed Monthly Bill	Revised vs. Proposed	May 2010 Revised Monthly Bill	Revised vs. Current
<b>Graham (98727900)</b>							
Jan	6,500	\$66.80	128.4%	\$152.60	-30.0%	\$106.38	60.0%
Feb	4,800	\$52.35	131.4%	\$121.15	-32.8%	\$81.38	55.4%
Mar	5,400	\$57.45	130.2%	\$132.25	-31.7%	\$90.38	57.3%
Apr	6,700	\$68.50	128.2%	\$156.30	-29.7%	\$109.88	60.4%
May	9,500	\$92.30	125.5%	\$208.10	-27.0%	\$151.88	64.5%
Jun	6,100	\$63.40	129.0%	\$145.20	-30.5%	\$100.88	59.1%
Jul	7,200	\$72.75	127.6%	\$165.55	-29.1%	\$117.38	61.3%
Aug	8,100	\$80.40	126.6%	\$182.70	-28.2%	\$130.88	62.8%
Sep	7,700	\$77.00	127.0%	\$174.80	-28.6%	\$124.88	62.2%
Oct	8,300	\$82.10	126.4%	\$185.90	-28.0%	\$133.88	63.1%
Nov	6,600	\$67.65	128.3%	\$154.45	-29.8%	\$108.38	60.2%
Dec	1,800	\$26.85	144.5%	\$65.65	-32.7%	\$44.18	64.5%
<b>Total</b>	<b>78,700</b>	<b>\$807.55</b>	<b>128.4%</b>	<b>\$1,844.15</b>	<b>-29.5%</b>	<b>\$1,300.80</b>	<b>61.1%</b>
<b>Liberty (6534428)</b>							
Jan	4,600	\$50.65	95.8%	\$99.15	-25.7%	\$73.69	45.5%
Feb	10,400	\$99.95	106.6%	\$206.45	-13.0%	\$179.54	79.6%
Mar	8,100	\$80.40	103.9%	\$163.90	-20.6%	\$130.09	61.8%
Apr	4,200	\$47.25	94.2%	\$91.75	-26.2%	\$67.69	43.3%
May	11,400	\$108.45	107.4%	\$224.95	-10.6%	\$201.04	85.4%
Jun	22,900	\$206.20	112.3%	\$437.70	2.4%	\$448.29	117.4%
Jul	32,700	\$289.50	113.8%	\$619.00	6.5%	\$658.99	127.6%
Aug	43,900	\$384.70	114.8%	\$826.20	8.9%	\$899.79	133.9%
Sep	20,800	\$188.35	111.8%	\$398.85	1.1%	\$403.14	114.0%
Oct	20,800	\$188.35	111.8%	\$398.85	1.1%	\$403.14	114.0%
Nov	5,400	\$57.45	98.3%	\$113.95	-24.8%	\$85.69	49.2%
Dec	5,000	\$54.05	97.1%	\$106.55	-25.2%	\$79.69	47.4%
<b>Total</b>	<b>190,200</b>	<b>\$1,755.30</b>	<b>110.1%</b>	<b>\$3,687.30</b>	<b>-1.5%</b>	<b>\$3,630.75</b>	<b>106.8%</b>
<b>Cougar Mtn (3311134)</b>							
Jan	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Feb	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Mar	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Apr	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
May	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Jun	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Jul	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Aug	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Sep	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Oct	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Nov	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Dec	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
<b>Total</b>	<b>0</b>	<b>\$189.60</b>	<b>-22.8%</b>	<b>\$146.40</b>	<b>-5.3%</b>	<b>\$138.60</b>	<b>-26.9%</b>
<b>Pioneer Valley (4353605)</b>							
Jan	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Feb	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Mar	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Apr	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
May	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Jun	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Jul	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Aug	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Sep	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Oct	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Nov	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Dec	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
<b>Total</b>	<b>0</b>	<b>\$189.60</b>	<b>-22.8%</b>	<b>\$146.40</b>	<b>-5.3%</b>	<b>\$138.60</b>	<b>-26.9%</b>
<b>Pioneer Valley (5209323)</b>							
Jan	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Feb	100	\$15.80	-17.1%	\$13.10	-5.3%	\$12.40	-21.5%
Mar	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Apr	100	\$15.80	-17.1%	\$13.10	-5.3%	\$12.40	-21.5%
May	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Jun	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Jul	100	\$15.80	-17.1%	\$13.10	-5.3%	\$12.40	-21.5%
Aug	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Sep	100	\$15.80	-17.1%	\$13.10	-5.3%	\$12.40	-21.5%
Oct	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Nov	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
Dec	0	\$15.80	-22.8%	\$12.20	-5.3%	\$11.55	-26.9%
<b>Total</b>	<b>400</b>	<b>\$189.60</b>	<b>-20.9%</b>	<b>\$150.00</b>	<b>-5.3%</b>	<b>\$142.00</b>	<b>-25.1%</b>
<b>Cougar Mtn (3311133)</b>							
Jan	2,200	\$30.25	59.2%	\$48.15	-15.6%	\$40.65	34.4%
Feb	8,400	\$82.95	301.4%	\$332.95	-49.3%	\$188.75	103.4%
Mar	5,900	\$61.70	237.0%	\$207.95	-44.7%	\$115.00	86.4%
Apr	3,000	\$37.05	69.9%	\$62.95	-16.4%	\$52.65	42.1%
May	8,900	\$87.20	310.5%	\$357.95	-49.9%	\$179.50	105.8%
Jun	7,200	\$72.75	275.2%	\$272.95	-47.6%	\$142.95	96.5%
Jul	900	\$19.20	25.5%	\$24.10	-12.2%	\$21.15	10.2%
Aug	400	\$15.80	0.0%	\$15.80	-5.4%	\$14.95	-5.4%
Sep	3,900	\$44.70	141.5%	\$107.95	-33.3%	\$72.00	61.1%
Oct	8,200	\$81.25	297.5%	\$322.95	-49.1%	\$164.45	102.4%
Nov	6,800	\$69.35	264.7%	\$252.95	-46.9%	\$134.55	93.7%
Dec	4,800	\$52.35	192.2%	\$152.95	-40.3%	\$91.35	74.5%
<b>Total</b>	<b>60,600</b>	<b>\$654.55</b>	<b>229.9%</b>	<b>\$2,159.60</b>	<b>-44.5%</b>	<b>\$1,197.75</b>	<b>83.0%</b>
<b>Shining Mtn (17851453)</b>							

Shining Mtn (17851453)







Nov	6,500	\$66.80	238.0%	\$225.80	-37.2%	\$141.88	112.4%
Dec	0	\$15.80	594.0%	\$109.80	-21.1%	\$86.61	448.3%
<b>Total</b>	<b>58,700</b>	<b>\$641.80</b>	<b>267.2%</b>	<b>\$2,356.80</b>	<b>-34.7%</b>	<b>\$1,538.45</b>	<b>139.7%</b>
<b>Rocky Ridge (1170458)</b>							
Jan	4,600	\$50.65	276.4%	\$190.65	-34.1%	\$125.71	148.2%
Feb	8,100	\$80.40	217.7%	\$255.40	-39.1%	\$155.48	93.4%
Mar	5,700	\$60.00	251.7%	\$211.00	-36.0%	\$135.08	125.1%
Apr	4,800	\$52.35	271.3%	\$194.35	-34.4%	\$127.43	143.4%
May	7,400	\$74.45	225.7%	\$242.45	-38.3%	\$149.53	100.8%
Jun	7,200	\$72.75	228.2%	\$238.75	-38.1%	\$147.83	103.2%
Jul	2,800	\$35.35	345.1%	\$157.35	-29.8%	\$110.45	212.4%
Aug	1,100	\$20.90	502.4%	\$125.90	-23.8%	\$95.98	359.2%
Sep	4,000	\$45.55	294.2%	\$179.55	-32.8%	\$120.63	164.8%
Oct	7,800	\$77.85	220.9%	\$249.85	-38.8%	\$152.93	96.4%
Nov	6,600	\$67.65	236.5%	\$227.65	-37.3%	\$142.73	111.0%
Dec	5,700	\$60.00	251.7%	\$211.00	-36.0%	\$135.08	125.1%
<b>Total</b>	<b>65,800</b>	<b>\$697.90</b>	<b>255.9%</b>	<b>\$2,483.90</b>	<b>-35.6%</b>	<b>\$1,598.80</b>	<b>129.1%</b>
<b>Pioneer (9603624A)</b>							
Jan	4,500	\$49.80	279.1%	\$188.80	-33.9%	\$134.88	150.8%
Feb	7,200	\$72.75	228.2%	\$238.75	-38.1%	\$147.83	103.2%
Mar	7,400	\$74.45	225.7%	\$242.45	-38.3%	\$149.53	100.8%
Apr	5,800	\$60.85	249.8%	\$212.85	-36.1%	\$134.95	123.4%
May	7,300	\$73.60	226.9%	\$240.60	-38.2%	\$148.68	102.0%
Jun	8,300	\$82.10	215.6%	\$259.10	-39.3%	\$157.18	91.4%
Jul	4,100	\$46.40	290.9%	\$181.40	-33.0%	\$121.08	161.8%
Aug	600	\$16.65	600.6%	\$116.65	-21.4%	\$91.71	450.9%
Sep	1,000	\$20.05	518.7%	\$124.05	-23.3%	\$95.13	374.4%
Oct	14,600	\$135.65	176.9%	\$375.65	-34.2%	\$247.13	82.2%
Nov	11,000	\$105.05	194.2%	\$309.05	-37.5%	\$193.13	83.8%
Dec	8,800	\$86.35	210.8%	\$268.35	-39.8%	\$181.43	86.9%
<b>Total</b>	<b>80,600</b>	<b>\$823.70</b>	<b>234.8%</b>	<b>\$2,757.70</b>	<b>-35.7%</b>	<b>\$1,774.00</b>	<b>115.4%</b>
<b>Graham (31908340A)</b>							
Jan	3,600	\$42.15	308.4%	\$172.15	-31.9%	\$117.23	178.1%
Feb	6,000	\$62.55	246.2%	\$216.55	-36.4%	\$137.63	120.0%
Mar	6,000	\$62.55	246.2%	\$216.55	-36.4%	\$137.63	120.0%
Apr	5,500	\$58.30	255.6%	\$207.30	-35.7%	\$133.38	128.8%
May	6,900	\$70.20	232.2%	\$233.20	-37.7%	\$145.28	106.9%
Jun	8,500	\$83.80	213.6%	\$262.80	-39.5%	\$158.88	89.6%
Jul	5,600	\$59.15	253.6%	\$209.15	-35.8%	\$134.23	126.9%
Aug	10,400	\$99.95	198.1%	\$297.95	-38.2%	\$184.13	84.2%
Sep	7,700	\$77.00	222.1%	\$248.00	-38.7%	\$152.08	97.5%
Oct	11,600	\$110.15	190.6%	\$320.15	-36.9%	\$202.13	83.5%
Nov	7,500	\$75.30	224.4%	\$244.30	-38.4%	\$150.38	99.7%
Dec	5,400	\$57.45	257.6%	\$205.45	-35.5%	\$135.53	130.7%
<b>Total</b>	<b>84,700</b>	<b>\$858.55</b>	<b>230.0%</b>	<b>\$2,833.55</b>	<b>-37.0%</b>	<b>\$1,785.45</b>	<b>108.0%</b>
<b>Elk Plain (Elk Plain)</b>							
Jan	24,800	\$222.35	153.8%	\$564.35	-29.1%	\$400.13	80.0%
Feb	35,800	\$315.85	143.1%	\$767.85	-26.4%	\$565.12	78.9%
Mar	26,200	\$234.25	152.0%	\$590.25	-28.7%	\$421.13	79.8%
Apr	26,000	\$232.55	152.2%	\$586.55	-28.7%	\$418.13	79.8%
May	26,500	\$236.80	151.6%	\$595.80	-28.6%	\$425.63	79.7%
Jun	30,700	\$272.50	147.2%	\$673.50	-27.4%	\$488.63	79.3%
Jul	23,800	\$213.85	155.2%	\$545.85	-29.4%	\$385.13	80.1%
Aug	26,900	\$240.20	151.1%	\$603.20	-28.4%	\$431.63	79.7%
Sep	27,100	\$241.90	150.9%	\$606.90	-28.4%	\$434.63	79.7%
Oct	25,200	\$225.75	153.3%	\$571.75	-29.0%	\$406.13	79.9%
Nov	35,100	\$309.90	143.6%	\$754.90	-26.5%	\$554.63	79.0%
Dec	35,500	\$313.30	143.3%	\$762.30	-26.5%	\$560.63	78.9%
<b>Total</b>	<b>343,600</b>	<b>\$3,059.20</b>	<b>149.2%</b>	<b>\$7,623.20</b>	<b>-28.0%</b>	<b>\$5,491.50</b>	<b>79.5%</b>
<b>North Star (1547015)</b>							
Jan	3,300	\$39.60	320.7%	\$166.60	-31.2%	\$114.08	189.6%
Feb	4,800	\$52.35	271.3%	\$194.35	-34.4%	\$127.43	143.4%
Mar	4,800	\$52.35	271.3%	\$194.35	-34.4%	\$127.43	143.4%
Apr	4,800	\$52.35	271.3%	\$194.35	-34.4%	\$127.43	143.4%
May	6,300	\$65.10	241.2%	\$222.10	-36.9%	\$140.18	115.3%
Jun	39,900	\$350.70	140.6%	\$843.70	-25.7%	\$626.63	78.7%
Jul	70,300	\$609.10	130.8%	\$1,406.10	-11.3%	\$1,247.08	104.7%
Aug	118,900	\$1,022.20	125.5%	\$2,305.20	-0.6%	\$2,291.98	124.2%
Sep	56,800	\$494.35	133.9%	\$1,156.35	-17.3%	\$986.83	93.6%
Oct	77,200	\$667.75	129.7%	\$1,533.75	-9.0%	\$1,395.43	109.0%
Nov	6,200	\$64.25	242.8%	\$220.25	-36.7%	\$139.33	116.8%
Dec	4,600	\$50.65	276.4%	\$190.65	-34.1%	\$125.71	148.2%
<b>Total</b>	<b>397,900</b>	<b>\$3,520.75</b>	<b>145.1%</b>	<b>\$8,627.75</b>	<b>-14.0%</b>	<b>\$7,420.10</b>	<b>110.8%</b>
<b>Centennial (Meter A)</b>							
Jan	27,100	\$241.90	150.9%	\$606.90	-28.4%	\$434.63	79.7%
Feb	33,500	\$296.30	144.8%	\$725.30	-26.8%	\$530.63	79.1%
Mar	40,900	\$359.20	140.0%	\$862.20	-25.6%	\$641.63	78.6%
Apr	30,000	\$266.55	147.8%	\$660.55	-27.6%	\$478.13	79.4%
May	83,200	\$718.75	128.8%	\$1,644.75	-7.3%	\$1,524.43	112.1%
Jun	132,300	\$1,136.10	124.7%	\$2,553.10	1.1%	\$2,580.08	127.1%
Jul	277,000	\$2,366.05	121.0%	\$5,230.05	8.8%	\$5,601.13	140.5%
Aug	152,700	\$1,309.50	123.8%	\$2,930.50	3.0%	\$3,038.68	130.5%
Sep	192,500	\$1,647.80	122.5%	\$3,666.80	5.7%	\$3,874.38	135.1%
Oct	204,800	\$1,752.35	122.2%	\$3,894.35	6.3%	\$4,138.83	136.2%
Nov	66,500	\$576.80	131.6%	\$1,335.80	-12.8%	\$1,165.38	102.0%
Dec	36,600	\$322.65	142.6%	\$782.65	-26.3%	\$577.13	78.9%
<b>Total</b>	<b>1,277,100</b>	<b>\$10,993.95</b>	<b>126.4%</b>	<b>\$24,892.95</b>	<b>-1.0%</b>	<b>\$24,655.00</b>	<b>124.3%</b>

Total District	5,724,100	\$52,447.10	173.2%	\$143,295.15	-17.5%	\$118,287.70	125.5%
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# Exhibit F

Law Office of  
Richard A. Finnigan  
2112 Black Lake Blvd. SW  
Olympia, Washington 98512  
Fax (360) 753-6862

Richard A. Finnigan  
(360) 956-7001  
rickfynn@localaccess.com

Kathy McCrary, Paralegal  
(360) 753-7012  
kathym@localaccess.com

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May 3, 2010

**VIA E-MAIL AND HAND DELIVERY**

David Danner, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive SW  
Olympia, WA 98504-7250

Re: Rainier View Water Co., Inc. – Request for Exemption from WAC  
480-110-425

Dear Mr. Danner:

In Docket No. UW-091466, the Commission Staff and Rainier View have reached agreement on the revenue requirement issues. In addition, Commission Staff proposed that the Company move to a rate design based on meter size. The Company has reviewed Staff's proposal and has worked with Staff to come up with a rate design based on meter sizes.

The result of moving to a rate design based on meter sizes is that some customers will receive increases higher than what was originally noticed. This affects some commercial customers and the flat rated customers. Rainier View has committed to providing advance notice, and, in particular, with some of the larger commercial customers, meeting with those customers to talk about ways in which they can reduce the revenue impact to their accounts.

The purpose of this letter is to seek an exemption from a general mailing to all approximately 17,000 customers that Rainier View serves. Arguably, WAC 480-110-425 can be read to require such a notice. The Company does not believe the rule actually contains such a requirement. However, out of an abundance of caution, the Company is requesting this exemption so that the record is clear that the Company does not have to do a general mailing to its

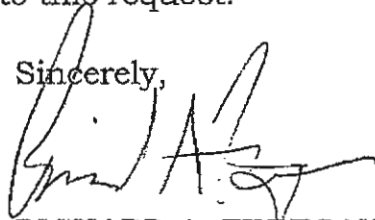
David Danner  
May 3, 2010  
Page 2 of 2

entire customer base.

Again, Rainier View will communicate with the commercial class of customers and the flat rated residential customers so that they are aware in advance before they are billed at the higher rates.

Thank you for your attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard A. Finnigan', written over a light blue horizontal line.

RICHARD A. FINNIGAN

RAF/km

cc: Jim Ward (via e-mail)  
Doug Fisher (via e-mail)

# Exhibit G



**CENTENNIAL ELEMENTARY**  
**Domestic**  
**Existing Tariff**

Statement Date	Use*	3" Compound Meter	Water (Usage)	Metered Rate Service		Total Water Usage Charge	Fireflow	Treatment Surcharge	Generator Surcharge	Total Due
				First 500 Cubic Ft	Over 500 Cubic Ft					
2/1/2009	Domestic	Meter A	1400	\$15.80	\$7.65	\$23.45				\$23.45
	Domestic	Meter B	3500	\$15.80	\$25.50	\$41.30	\$150.64	\$3.29	\$0.61	\$195.84
3/1/2009	Domestic	Meter A	1500	\$15.80	\$8.50	\$24.30				\$24.30
	Domestic	Meter B	5700	\$15.80	\$44.20	\$60.00	\$150.64	\$3.29	\$0.61	\$214.54
4/1/2009	Domestic	Meter A	2300	\$15.80	\$15.30	\$31.10				\$31.10
	Domestic	Meter B	6800	\$15.80	\$53.55	\$69.35	\$150.64	\$3.29	\$0.61	\$223.89
5/1/2009	Domestic	Meter A	1800	\$15.80	\$11.05	\$26.85				\$26.85
	Domestic	Meter B	5200	\$15.80	\$39.95	\$55.75	\$150.64	\$3.29	\$0.61	\$210.29
6/1/2009	Domestic	Meter A	2300	\$15.80	\$15.30	\$31.10				\$31.10
	Domestic	Meter B	6700	\$15.80	\$52.70	\$68.50	\$150.64	\$3.29	\$0.61	\$223.04
7/1/2009	Domestic	Meter A	2600	\$15.80	\$17.85	\$33.65				\$33.65
	Domestic	Meter B	6600	\$15.80	\$51.85	\$67.65	\$150.64	\$1.81	\$0.61	\$220.71
8/1/2009	Domestic	Meter A	2000	\$15.80	\$12.75	\$28.55				\$28.55
	Domestic	Meter B	5300	\$15.80	\$40.80	\$56.60	\$150.64	\$1.81	\$0.61	\$209.66
9/1/2009	Domestic	Meter A	400	\$15.80	\$0.00	\$15.80				\$15.80
	Domestic	Meter B	100	\$15.80	\$0.00	\$15.80	\$150.64	\$1.81	\$0.61	\$168.86
10/1/2009	Domestic	Meter A	300	\$15.80	\$0.00	\$15.80				\$15.80
	Domestic	Meter B	500	\$15.80	\$0.00	\$15.80	\$150.64	\$1.81	\$0.61	\$168.86
11/1/2009	Domestic	Meter A	6700	\$15.80	\$52.70	\$68.50				\$68.50
	Domestic	Meter B	8600	\$15.80	\$68.85	\$84.65	\$150.64	\$1.81	\$0.61	\$237.71
12/1/2009	Domestic	Meter A	16100	\$15.80	\$132.60	\$148.40				\$148.40
	Domestic	Meter B	8900	\$15.80	\$71.40	\$87.20	\$150.64	\$1.81	\$0.61	\$240.26
1/1/2010	Domestic	Meter A	19400	\$15.80	\$160.65	\$176.45				\$176.45
		Meter A	6900	\$15.80	\$54.40	\$70.20	\$150.64	\$1.81	\$0.61	\$223.26
						\$1,316.75		<b>Grand Total</b>		<b>\$3,160.87</b>

\* Single Meter for Domestic and Irrigation Service  
Formula For Column F "Over 500 Cubic Ft" - =(D-500)/100\*0.85  
Formula For Column G "Total Usage Charge" - =(E+F)  
Formula For Column K "Total Due" - =(G:J)



PO Box 44427 • Tacoma, Wa 98448  
 5410 189th St E • Puyallup, Wa 98477  
 (253) 537-6034 or 1-888-496-3741



**RAINIER WATER CO. INC.**

ACCOUNT NUMBER 1.32.115400.00  
 SERVICE ADDRESS 24323 54TH AVE E  
 CENNTENNIAL

Previous Balance - .00

**CURRENT BILL DUE DATE**

02/16/2009

RAINIER WATER COMPANY INC  
 ACCOUNT NUMBER 1.32.115400.00  
 AMOUNT DUE **219.29**

AMOUNT ENCLOSED

DETACH THIS PAYMENT STUB AND RETURN IN ENVELOPE PROVIDED

CENNTENNIAL

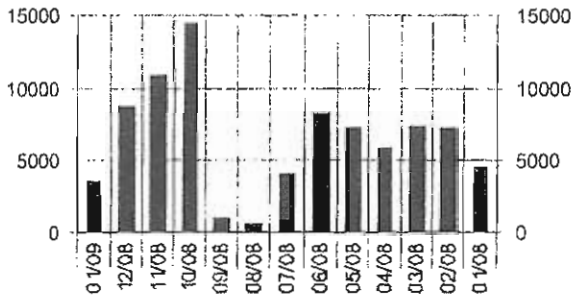
00000021929 021609 132115400002

RATE/ CODE	STATEMENT DATE	METER NUMBER	PRES. READ	PREV. READ	PRES. DATE	PREV. DATE	MULT.	WATER (USAGE)	AMOUNT
123	02/01/2009	METER B	4054	4019	01/02/2009	12/01/2008	100	3500	
123	02/01/2009	METER A	1107	1093	01/02/2009	12/01/2008	100	1400	

*4200*

Units - 1.0000  
 Rate Code 120-130  
 \$15.80 first 500 cu ft or less each unit  
 .85 each additional 100 cu ft  
 additional unit minimum is \$13.35

WATER 64.75  
 FIREFLOW 150.64  
 SURCHARGE -TREATMENT 3.29  
 SURCHARGE-GENERATOR .61



**RECEIVED**  
**FEB 02 2009**  
**ACCTS PAYABLE**

TOTAL 219.29

	Account Balance
Balance as of last billing	252.44
Billing Adjustments	.00
Payment Adjustments	.00
Thank you for your payment	-252.44
<b>Previous Balance</b>	<b>.00</b>
Current Bill Charges	219.29
<b>Total Amount Due</b>	<b>219.29</b>

THANK YOU FOR KEEPING YOUR METER FREE OF OBSTRUCTIONS.

CENNTENNIAL  
 516 E 176TH ST  
 SPANAWAY WA 98387



1.32.115400.00  
 24323 54TH AVE E



PO Box 44427 • Tacoma, Wa 98448  
 5410 189th St E • Puyallup, Wa 98375  
 (253) 537-6634 or 1-888-490-3741



**WATER CO., INC.**  
 ACCOUNT NUMBER 1.32.115400.00  
 SERVICE ADDRESS 24323 54TH AVE E  
 CENNTENNIAL

Previous Balance - .00

**CURRENT BILL DUE DATE**  
 03/16/2009

RAINIER VIEW WATER COMPANY, INC.  
 ACCOUNT NUMBER 1.32.115400.00  
 AMOUNT DUE ▶ 238.84

AMOUNT ENCLOSED \$

DETACH THIS PAYMENT STUB AND RETURN IN ENVELOPE PROVIDED

CENNTENNIAL

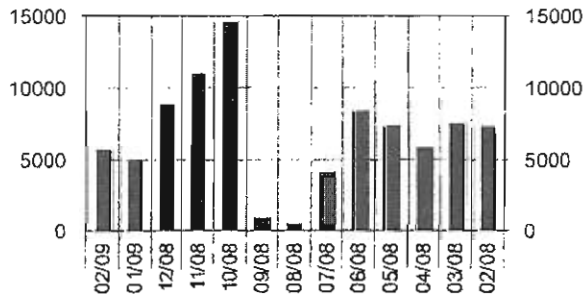
00000023884 031609 132115400004

RATE/ CODE	STATEMENT DATE	METER NUMBER	PRES. READ	PREV. READ	PRES. DATE	PREV. DATE	MULT.	WATER (USAGE)	AMOUNT
123	03/01/2009	METER B	4111	4054	02/02/2009	01/02/2009	100	5700	
123	03/01/2009	METER A	1122	1107	02/02/2009	01/02/2009	100	1500	

7200

Units - 1.0000  
 Rate Code 120-130  
 \$15.80 first 500 cu ft or less each unit  
 .85 each additional 100 cu ft  
 additional unit minimum is \$13.35

WATER 84.30  
 FIREFLOW 150.64  
 SURCHARGE -TREATMENT 3.29  
 SURCHARGE-GENERATOR .61



TOTAL 238.84

<b>Account Balance</b>	
Balance as of last billing	219.29
Billing Adjustments	.00
Payment Adjustments	.00
Thank you for your payment	-219.29
<b>Previous Balance</b>	.00
Current Bill Charges	238.84
<b>Total Amount Due</b>	<b>238.84</b>

THANK YOU FOR YOUR SERVICE.

CENNTENNIAL  
 516 E 176TH ST  
 SPANAWAY WA 98387



745

ACCOUNT NUMBER

1.32.115400.00  
 24323 54TH AVE E

**GRAHAM ELEMENTARY**  
Domestic  
Existing Tariff

Statement Date	Use	3" Meter	Water (Usage)	Metered Rate Service		Total Water Usage Charge Only	Fireflow	Treatment Surcharge	Generator Surcharge	Total Due	
				First 500 Cubic Ft	Over 500 Cubic Ft						
2/1/2009	Domestic	3190340A	2500	\$15.80	\$17.00	\$32.80	\$160.13	\$3.29	\$0.61	\$211.28	\$196.83
		3190340B	1700		\$14.45	\$14.45					\$14.45
3/1/2009	Domestic	3190340A	3400	\$15.80	\$24.65	\$40.45	\$160.13	\$3.29	\$0.61	\$224.03	\$204.48
		3190340B	2300		\$19.55	\$19.55					\$19.55
4/1/2009	Domestic	3190340A	2800	\$15.80	\$19.55	\$35.35	\$160.13	\$3.29	\$0.61	\$222.33	\$199.38
		3190340B	200		\$1.70	\$1.70					\$1.70
5/1/2009	Domestic	3190340A	2600	\$15.80	\$17.85	\$33.65	\$160.13	\$3.29	\$0.61	\$212.98	\$197.68
		3190340B	1800		\$15.30	\$15.30					\$15.30
6/1/2009	Domestic	3190340A	4900	\$15.80	\$37.40	\$53.20	\$160.13	\$3.29	\$0.61	\$244.43	\$217.23
		3190340B	3200		\$27.20	\$27.20					\$27.20
7/1/2009	Domestic	3190340A	5000	\$15.80	\$38.25	\$54.05	\$160.13	\$1.81	\$0.61	\$239.55	\$216.60
		3190340B	2700		\$22.95	\$22.95					\$22.95
8/1/2009	Domestic	3190340A	1500	\$15.80	\$8.50	\$24.30	\$160.13	\$1.81	\$0.61	\$191.95	\$186.85
		3190340B	600		\$5.10	\$5.10					\$5.10
9/1/2009	Domestic	3190340A	1300	\$15.80	\$6.80	\$22.60	\$160.13	\$1.81	\$0.61	\$185.15	\$185.15
		3190340B	0		\$0.00	\$0.00					\$0.00
10/1/2009	Domestic	3190340A	2700	\$15.80	\$18.70	\$34.50	\$160.13	\$1.81	\$0.61	\$203.00	\$197.05
		3190340B	700		\$5.95	\$5.95					\$5.95
11/1/2009	Domestic	3190340A	5600	\$15.80	\$43.35	\$59.15	\$160.13	\$1.81	\$0.61	\$241.25	\$221.70
		3190340B	2300		\$19.55	\$19.55					\$19.55
12/1/2009	Domestic	3190340A	3700	\$15.80	\$27.20	\$43.00	\$160.13	\$1.81	\$0.61	\$221.70	\$205.55
		3190340B	1900		\$16.15	\$16.15					\$16.15
1/1/2010	Domestic	3190340A	2800	\$15.80	\$19.55	\$35.35	\$160.13	\$1.81	\$0.61	\$214.05	\$197.90
		3190340B	1900		\$16.15	\$16.15					\$16.15
						\$632.45		<b>Grand Total</b>			<b>\$2,574.30</b>

Formula For Column F "Over 500 Cubic Ft" - =(D-500)/100\*0.85

Formula For Column G "Total Usage Charge" - =(E+F)

Formula For Column K "Total Due" - =(G:J)



PO Box 44427 • Tacoma, Wa 98448  
 5410 189th St E • Puyallup, Wa 98375  
 (253) 537-6634 or 1-888-490-3741



**RAINIER VIEW WATER CO. INC.**

ACCOUNT NUMBER 1.38.691000.00  
 SERVICE ADDRESS 10026 204TH ST E  
 GRAHAM ELEMENTARY

Previous Balance - .00

**CURRENT BILL DUE DATE**

02/16/2009

RAINIER VIEW WATER COMPANY, INC.

ACCOUNT NUMBER 1.38.691000.00

AMOUNT DUE 211.28

AMOUNT ENCLOSED

DETACH THIS PAYMENT STUB AND RETURN IN ENVELOPE PROVIDED

GRAHAM ELEMENTARY

00000021128 021609 138691000004

RATE CODE	STATEMENT DATE	METER NUMBER	PRES. READ	PREV. READ	PRES. DATE	PREV. DATE	MULT.	WATER (USAGE)	AMOUNT
121	02/01/2009	31908340A	1549	1524	01/16/2009	12/11/2008	100	2500	
121	02/01/2009	31908340B	5418	5401	01/16/2009	12/11/2008	100	1700	

*4.00*

Units - .0000

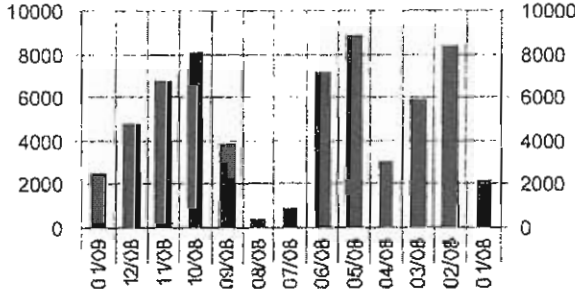
Rate Code 120-130

\$15.80 first 500 cu ft or less each unit

.85 each additional 100 cu ft

additional unit minimum is \$13.35

WATER 47.25  
 FIREFLOW 160.13  
 SURCHARGE -TREATMENT 3.29  
 SURCHARGE-GENERATOR .61



**RECEIVED**  
**FEB 02 2009**  
**ACCTS PAYABLE**

TOTAL 211.28

	Account Balance
Balance as of last billing	227.93
Billing Adjustments	.00
Payment Adjustments	.00
Thank you for your payment	-227.93
<b>Previous Balance</b>	.00
<b>Current Bill Charges</b>	211.28
<b>Total Amount Due</b>	211.28

THANK YOU FOR KEEPING YOUR METER FREE OF OBSTRUCTIONS.

GRAHAM ELEMENTARY  
 516 E 176TH ST  
 SPANAWAY WA 98387



1033

1.38.691000.00  
 10026 204TH ST E



PO Box 44427 • Tacoma, Wa 98448  
 5410 189th St E • Puyallup, Wa 98375  
 (253) 537-6634 or 1-888-490-3741



ACCOUNT NUMBER 1.38.691000.00  
 SERVICE ADDRESS 10026 204TH ST E  
 GRAHAM ELEMENTARY

Previous Balance - .00

**CURRENT BILL DUE DATE**  
 03/16/2009

RAINIER VIEW WATER COMPANY, INC.  
 ACCOUNT NUMBER 1.38.691000.00  
 AMOUNT DUE 224.03

AMOUNT ENCLOSED \$

DETACH THIS PAYMENT STUB AND RETURN IN ENVELOPE PROVIDED

GRAHAM ELEMENTARY

00000022403 031609 138691000002

RATE/ CODE	STATEMENT DATE	METER NUMBER	PRES. READ	PREV. READ	PRES. DATE	PREV. DATE	MULT.	WATER (USAGE)	AMOUNT
121	03/01/2009	31908340A	1583	1549	02/13/2009	01/16/2009	100	3400	
121	03/01/2009	31908340B	5441	5418	02/13/2009	01/16/2009	100	2300	

*5700*

Units - .0000

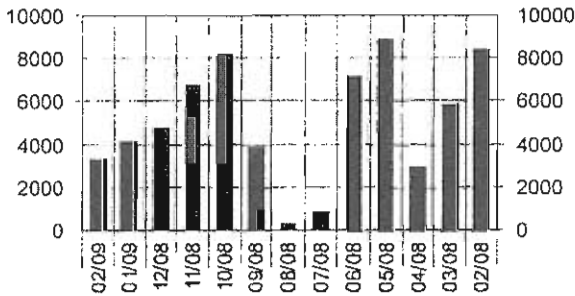
Rate Code 120-130

\$15.80 first 500 cu ft or less each unit

.85 each additional 100 cu ft

additional unit minimum is \$13.35

WATER 60.00  
 FIREFLOW 160.13  
 SURCHARGE -TREATMENT 3.29  
 SURCHARGE-GENERATOR .61



TOTAL 224.03

Balance as of last billing  
 Billing Adjustments  
 Payment Adjustments  
 Thank you for your payment

**Account Balance**  
 211.28  
 .00  
 .00  
 -211.28

Previous Balance  
 Current Bill Charges

.00  
 224.03

Total Amount Due

224.03

THANK YOU FOR YOUR SERVICE.

GRAHAM ELEMENTARY  
 516 E 176TH ST  
 SPANAWAY WA 98387



1027

1.38.691000.00  
 10026 204TH ST E

1.38.691000.00  
 10026 204TH ST E

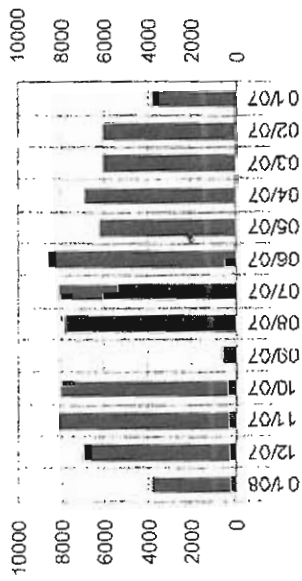
ACCOUNT NUMBER

# Exhibit H

123	02/01/2008	METER B	3415	3377	01/02/2008	12/03/2007	100	3800
123	02/01/2008	METER A	936	929	01/02/2008	12/03/2007	100	700

Units - 1.0000  
 Rate Code 120-130  
 \$15.80 first 500 cu ft. or less each unit  
 .85 each additional 100 cu ft.  
 additional unit minimum is \$13.85

WATER \* 61.35  
 FIREFLOW 150.64  
 SURCHARGE-TREATMENT 3.29  
 SURCHARGE-GENERATOR .61



RECEIVED  
 FEB 15 2008

TOTAL 215.89

Balance as of last billing	Account Balance	237.14
Billing Adjustments		.00
Payment Adjustments		.00
Thank you for your payment		-237.14
<b>Previous Balance</b>		.00
Current Bill Charges		215.89
<b>Total Amount Due</b>		215.89

OFFICE CLOSING AT NOON FRIDAY 02/15/08 FOR CORPORATE MOVE.

CENNTENNIAL  
 516 E 176TH ST  
 SPANAWAY WA 98387



771

ACCOUNT NUMBER

1.32.115400.00  
 24323 54TH AVE E



121	02/01/2008	31908340A	1170	01/14/2008	12/12/2007	100	1600
121	02/01/2008	31908340B	5171	01/14/2008	12/12/2007	100	600

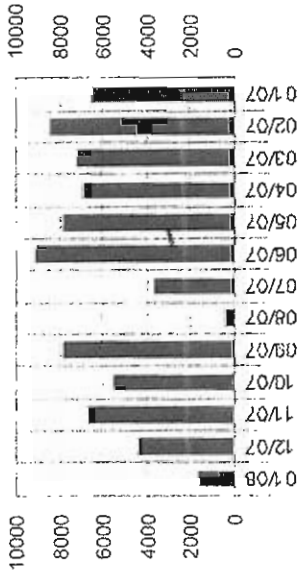
Units - 1.0000

Rate Code 120-130

\$15.80 first 500 cu ft or less each unit

.85 each additional 100 cu ft

additional unit minimum is \$13.85



WATER  
FIREFLOW  
SURCHARGE -TREATMENT  
SURCHARGE-GENERATOR

~~\*~~ 41.80  
160.13  
3.29  
.61

TOTAL 205.83

Account Balance  
224.53  
.00  
.00  
-224.53  
205.83

PAID  
FEB 15 2008

Balance as of last billing  
Billing Adjustments  
Payment Adjustments  
Thank you for your payment  
Previous Balance  
Current Bill Charges  
Total Amount Due

OFFICE CLOSING AT NOON FRIDAY 02/15/08 FOR CORPORATE MOVE.

GRAHAM ELEMENTARY  
516 E 176TH ST  
SPANAWAY WA 98387



1064

ACCOUNT NUMBER

1.38.691000.00  
10026 204TH ST E

# Exhibit I

From: Joe Rehberger <jrehberger@cascadialaw.com>  
Subject: Re: Rainier View Water Co., Inc. - Bethel School District  
Date: May 17, 2010 3:43:06 PM PDT  
To: "Mickelson, Christopher (UTC)" <cmickels@utc.wa.gov>, "Ward, Jim (UTC)" <JWard@utc.wa.gov>  
Cc: "James M. Hansen" <JHANSEN@bethelsd.org>, rickfinn@localaccess.com, "Eckhardt, Gene (UTC)" <geckhard@utc.wa.gov>, doug@mounlainmist.com, bob@rainierviewwater.com, Tom McDonald <tmcdonald@cascadialaw.com>  
Bcc: Mary Urback <murback@urbackpllc.com>



Chris, Jim, and all:

Thanks for your email Chris. I just spoke with Jim Hansen and the school district is diligently working on this issue. They are currently trying to work through some apparent inconsistencies in the district's billing records that have slowed this process. Additionally, on initial review, the school district's meter sizing listed on the circulated spreadsheet from last week appears inconsistent with the meter sizes listed in the water Meter Usage Query Excel sheet that was previously submitted as part of this case. Based on this apparent discrepancy, the district has also asked its staff to inspect the metered sites to confirm the meters and their sizing. Given the size of the district, this is taking some time to accomplish. We hope to have more information and a better response tomorrow.

We propose moving our meeting to Thursday, May 20 (or, alternatively, potentially Friday, May 21). Mr. Hansen discovered he has a conflict that he is unable to reschedule on Wednesday afternoon. This would also allow the district time to inspect its meters and work to resolve the billing and water use inconsistencies.

Joe

Joseph A. Rehberger  
Cascadia Law Group PLLC  
606 Columbia St. NW, Suite 212  
Olympia, WA 98501  
Direct Phone: 360-786-5062  
Main Phone: 360-786-5057  
Fax: 360-786-1835

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On May 17, 2010, at 9:00 AM, Mickelson, Christopher (UTC) wrote:

Hello Mr. Hansen,

Could you please confirm that the list provided by the company are all of the Bethel School District's meters (31) and type of service (i.e. meter size). Thanks.

*Chris*

Christopher T. Mickelson  
Regulatory Analyst  
Washington Utilities & Transportation Commission  
PO Box 47250  
Olympia, WA 98504-7250  
ph: (360) 664-1267  
fx: (360) 585-1150  
[cmickels@utc.wa.gov](mailto:cmickels@utc.wa.gov)

Washington Utilities & Transportation Commission  
The information contained in this e-mail message and any files transmitted with it is intended only for the individual(s) named. If you have received this e-mail message by mistake, please notify the sender immediately by e-mail. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

From: James M. Hansen [mailto:JHANSEN@bethelsd.org]  
Sent: Thursday, May 13, 2010 1:36 PM  
To: [rickfinn@localaccess.com](mailto:rickfinn@localaccess.com)  
Cc: Ward, Jim (UTC); Eckhardt, Gene (UTC); Mickelson, Christopher (UTC); [doug@mounlainmist.com](mailto:doug@mounlainmist.com); [bob@rainierviewwater.com](mailto:bob@rainierviewwater.com); [jrehberger@cascadialaw.com](mailto:jrehberger@cascadialaw.com)  
Subject: Re: Rainier View Water Co., Inc. - Bethel School District

Rick:

Thank you, the list.

Jim Hansen  
Director of Construction & Planning  
253-683-6082

PLEASE NOTE: The contractor must comply with the notice, claims, and dispute resolution procedures of the contract. In discussing this issue with you, the School District does not waive any claim or defense under the contract, including but not limited to your failure to follow the contract requirements.

From: "Mickelson, Christopher (UTC)" <cmickels@utc.wa.gov>  
Subject: RE: Rainier View Water Co., Inc. - Bethel School District  
Date: May 18, 2010 8:58:29 AM PDT  
To: "Joe Rehberger" <jrehberger@cascadialaw.com>, "Ward, Jim (UTC)" <jward@utc.wa.gov>  
Cc: "James M. Hansen" <J-HANSEN@bethelsd.org>, <rickfinn@localaccess.com>, "Eckhardt, Gene (UTC)" <geckhard@utc.wa.gov>, <doug@mountainmist.com>, <bob@rainierviewwater.com>, "Tom McDonald" <tmcdonald@cascadialaw.com>  
▶ 2 Attachments, 1023 KB

Hello Mr. Rehberger and Mr. Hansen,

To help move discussions along, I have attached an Excel workbook (two different formats – in case of lost data in saving to older Excel format) showing:

1. A comparison of number of meters, annual bills, annual usage, and monthly usage average for the Bethel School District (BSD) vs. all other non-residential customers for the test period (2008).
2. A bill crossover (annual and monthly) of BSD's meters showing the affects of current rates, company proposed rates, and staff recommended rates using the test period data.
3. A revised bill calculator (May 2010 - staff recommended rates).

Of course, all material is subject to be amended should circumstances change or additional information be brought to our attention.

*Chris*

**Christopher T. Mickelson**  
Regulatory Analyst  
Washington Utilities & Transportation Commission  
PO Box 47250  
Olympia, WA 98504-7250  
ph: (360) 664-1267  
fx: (360) 586-1150  
[cmickels@utc.wa.gov](mailto:cmickels@utc.wa.gov)

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**From:** Joe Rehberger [mailto:jrehberger@cascadialaw.com]  
**Sent:** Monday, May 17, 2010 3:43 PM  
**To:** Mickelson, Christopher (UTC); Ward, Jim (UTC)  
**Cc:** James M. Hansen; rickfinn@localaccess.com; Eckhardt, Gene (UTC); doug@mountainmist.com; bob@rainierviewwater.com; Tom McDonald  
**Subject:** Re: Rainier View Water Co., Inc. - Bethel School District

Chris, Jim, and all:

Thanks for your email Chirs. I just spoke with Jim Hansen and the school district is diligently working on this issue. They are currently trying to work through some apparent inconsistencies in the district's billing records that have slowed this process. Additionally, on initial review, the school district's meter sizing listed on the circulated spreadsheet from last week appears inconsistent with the meter sizes listed in the water Meter Usage Query Excel sheet that was previously submitted as part of this case. Based on this apparent discrepancy, the district has also asked its staff to inspect the metered sites to confirm the meters and their sizing. Given the size of the district, this is taking some time to accomplish. We hope to have more information and a better response tomorrow.

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Joe

**Joseph A. Rehberger**  
Cascadia Law Group PLLC  
606 Columbia St. NW, Suite 212  
Olympia, WA 98501  
Direct Phone: 360-786-5062  
Main Phone: 360-786-5057  
Fax: 360-786-1835

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Hello Mr. Hansen,

Could you please confirm that the list provided by the company are all of the Bethel School District's meters (31) and type of service (i.e. meter sizes). Thanks.

*Chris*

**Christopher T. Mickelson**  
Regulatory Analyst  
Washington Utilities & Transportation Commission  
PO Box 47250  
Olympia, WA 98504-7250  
ph: (360) 664-1267  
fx: (360) 586-1150  
[cmickels@utc.wa.gov](mailto:cmickels@utc.wa.gov)

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From: "Eckhardt, Gene (UTC)" <geckhard@utc.wa.gov>  
Subject: RE: Rainier View Water Co., Inc. - Bethel School District  
Date: May 18, 2010 4:01:28 PM PDT  
To: "Joe Rehberger" <jrehberger@cascadiaw.com>, "Mickelson, Christopher (UTC)" <cmickel@utc.wa.gov>, "Ward, Jim (UTC)" <JWard@utc.wa.gov>  
Cc: "James M. Hansen" <JHANSEN@bethelsd.org>, "rickfinn@localaccess.com", "doug@mountainmist.com", "bob@rainierviewwater.com", "Tom McDonald" <tomcdonald@cascadiaw.com>

Greetings,

Staff will meet with all parties when you are available. Staff memos for the May 27<sup>th</sup> open meeting are due no later than 4:00 pm Wed. The additional staff analysis further supports staff's recommended rates. We are waiting for the District's comments.

Staff intends to present this matter to the commissioners at the May 27 open meeting.

If you have any questions, please let me know.

*This e-mail states the Informal opinions of commission staff, offered as technical assistance, and are not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.*

Eugene K. Eckhardt  
Assistant Director of Water and Transportation  
Washington Utilities and Transportation Commission  
PO Box 47250  
Olympia, WA 98504-7250  
Tel: (360) 664-1249  
FAX: (360) 586-1150  
E-mail: geckhard@utc.wa.gov

From: Joe Rehberger [mailto:jrehberger@cascadiaw.com]  
Sent: Monday, May 17, 2010 3:43 PM  
To: Mickelson, Christopher (UTC); Ward, Jim (UTC)  
Cc: James M. Hansen; rickfnn@localaccess.com; Eckhardt, Gene (UTC); doug@mountainmist.com; bob@rainierviewwater.com; Tom McDonald  
Subject: Re: Rainier View Water Co., Inc. - Bethel School District

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We propose moving our meeting to Thursday, May 20 (or, alternatively, potentially Friday, May 21). Mr. Hansen discovered he has a conflict that he is unable to reschedule on Wednesday afternoon. This would also allow the district time to inspect its meters and work to resolve the billing and water use inconsistencies.

Joe

Joseph A. Rehberger  
Cascadia Law Group PLLC  
608 Columbia St NW, Suite 212  
Olympia, WA 98501  
Direct Phone: 360-786-5062  
Main Phone: 360-786-5057  
Fax: 360-786-1835

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On May 17, 2010, at 9:00 AM, Mickelson, Christopher (UTC) wrote:

Hello Mr. Hansen,

Could you please confirm that the list provided by the company are all of the Bethel School District's meters (31) and type of service (i.e. meter sizes). Thanks.

*Chris*

Christopher T. Mickelson  
Regulatory Analyst  
Washington Utilities & Transportation Commission  
PO Box 47250  
Olympia, WA 98504-7250  
Tel: (360) 664-1249  
Fax: (360) 586-1150  
[cmickel@utc.wa.gov](mailto:cmickel@utc.wa.gov)

---

From: James M. Hansen [mailto:JHANSEN@bethelsd.org]  
Sent: Thursday, May 13, 2010 1:36 PM  
To: rickfnn@localaccess.com  
Cc: Ward, Jim (UTC); Eckhardt, Gene (UTC); Mickelson, Christopher (UTC); doug@mountainmist.com; bob@rainierviewwater.com; jrehberger@cascadiaw.com  
Subject: Re: Rainier View Water Co., Inc. - Bethel School District

Rick:

Thank you, the list.

Jim Hansen  
Director of Construction & Planning  
253-683-6082

PLEASE NOTE: The contractor must comply with the notice, claims, and dispute resolution procedures of the contract. In discussing this issue with you, the School District does not waive any claim or defense under the contract, including but not limited to your failure to follow the contract requirements.

From: Joe Rehberger <jrehberger@cascadialaw.com>  
Subject: Re: Rainier View Water Co., Inc. - Bethel School District  
Date: May 18, 2010 4:32:43 PM PDT  
To: "Mickelson, Christopher (UTC)" <cmickels@utc.wa.gov>, "Ward, Jim (UTC)" <JWard@utc.wa.gov>, "Eckhardt, Gene (UTC)" <geckhard@utc.wa.gov>  
Cc: rickfinn@localaccess.com, doug@mountainmist.com, bob@rainierviewwater.com, "James M. Hansen" <JHANSEN@bethelsd.org>, Tom McDonald <tmcdonald@cascadialaw.com>, Mary Urback <murback@urbackplc.com>



Gene, Chris, Jim, et al:

The district has been working today to review the information the UTC provided this morning and compare with its own usage and billing records. Based on our preliminary review, there appears to be several errors in the usage data provided in the new UTC chart. While the district recognizes that some errors existed in its previous calculations that it is working to rectify, the chart provided by the UTC this morning also appears to have some discrepancies that the District has been unable to reconcile or understand. (We note that the district has been previously examining and relying on its 2009 usage data, as opposed to the older 2008 data in your chart.) It is difficult for the District to be able to understand and calculate the impact of the proposed tariff revision without an understanding of accurate numbers. District staff are currently re-reviewing historic billing and usage records to confirm.

By way of explanation, the District started by looking at the sample schools it previously analyzed, and has been unable to reconcile its known usage data with the comparison analysis you provided. Issues the school district have discovered to date:

1. Your chart identifies Frontier (1384081) as accounting for 17,300 cu. ft. of water usage in 2008. The District's 2009 analysis shows 914,200 cu. ft. of water use in 2009. These numbers are not congruent and reflect a data error. Can you explain from where the UTC's meter usage records originated?
2. Your chart identifies North Star (1547015) as accounting for 397,900 cu. ft. of water usage in 2008. The District's 2009 analysis shows 65,400 cu. ft. of water use in 2009. There is a similar error/discrepancy for the usage information for the other North Star (2431956) meter. Your chart shows 619,400 cu. ft. and the District's 2009 records show 212,300 cu. ft. The District has been unable to account for this significant discrepancy.
3. Your chart states the district has 31 meters, but only lists out 25 meters in your analysis. Do these remaining six meters generate any charges?
4. The District is looking into potential billing discrepancies related to Graham-Kepowsin High School.

Based on these discrepancies, the district is going back to try and review as many sample schools as possible to ensure an accurate understanding of the water use and impact of the proposed rate increase. The district is continuing to diligently work on analyzing the potential impact. Given the above discrepancies, we propose postponing a potential meeting with the UTC and Rainier View until we have sufficient time to go through our records and compare to the information you have now provided, and see if they can be reconciled.

Given that this new proposal is seeking Commission approval on less than statutory notice, the district has had very limited time to review this data and analyze the same. The above discrepancies have certainly caused additional concern. This lack of time has certainly hampered the district's ability to meaningfully review, analyze, and dialogue regarding these issues. Further, other "commercial" water users have had no meaningful opportunity to consider the proposed changes and their impact. It may be that postponing our meeting and setting over this matter for a later public hearing would be in everyone's best interest, and would ask everyone to consider the same.

Thanks.

Joe

Joseph A. Rehberger  
Cascadia Law Group PLLC  
606 Columbia St. NW, Suite 212  
Olympia, WA 98501  
Direct Phone: 360-786-5062  
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Fax: 360-786-1835

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From: "Mickelson, Christopher (UTC)" <cmickels@utc.wa.gov>  
 Date: May 18, 2010 4:56:50 PM PDT  
 To: "Joe Rehberger" <jrehberger@cascadiaw.com>; "Ward, Jim (UTC)" <jward@utc.wa.gov>; "Eckhardt, Gene (UTC)" <geckhard@utc.wa.gov>  
 Cc: <rckfrin@localaccess.com>; <doug@mountainmist.com>; <bob@rainierviewwater.com>; "James M. Hansen" <JHANSEN@bethel.sd.org>; "Tom McDonald" <tmcdonald@cascadiaw.com>; "Mary Urback" <myrback@urbackplc.com>  
 Subject: RE: Rainier View Water Co., Inc. - Bethel School District

See staff's answers below in RED.

*Chris*

**Christopher T. Mickelson**  
 Regulatory Analyst  
 Washington Utilities & Transportation Commission  
 PO Box 47250  
 Olympia, WA 98504-7250  
 ph: (360) 664-1217  
 fx: (360) 586-1150  
 cmickels@utc.wa.gov

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From: Joe Rehberger [mailto:jrehberger@cascadiaw.com]  
 Sent: Tuesday, May 18, 2010 4:33 PM  
 To: Mickelson, Christopher (UTC); Ward, Jim (UTC); Eckhardt, Gene (UTC)  
 Cc: rckfrin@localaccess.com; doug@mountainmist.com; bob@rainierviewwater.com; James M. Hansen; Tom McDonald; Mary Urback  
 Subject: Re: Rainier View Water Co., Inc. - Bethel School District

Gene, Chris, Jim, et al:

The District has been working today to review the information the UTC provided this morning and compare with its own usage and billing records. Based on our preliminary review, there appears to be several errors in the usage data provided in the new UTC chart. While the district recognizes that some errors existed in its previous calculations that it is working to rectify, the chart provided by the UTC this morning also appears to have some discrepancies that the District has been unable to reconcile or understand. (We note that the district has been previously examining and relying on its 2009 usage data, as opposed to the older 2008 data in your chart.) It is difficult for the District to be able to understand and calculate the impact of the proposed tariff revision without an understanding of accurate numbers. District staff are currently re-reviewing historic billing and usage records to confirm.

By way of explanation, the District started by looking at the sample schools it previously analyzed, and has been unable to reconcile its known usage data with the comparison analysis you provided. Issues the school district have discovered to date:

1. Your chart identifies Frontier (1384081) as accounting for 17,300 cu. ft. of water usage in 2008. The District's 2009 analysis shows 914,200 cu. ft. of water use in 2009. These numbers are not congruent and reflect a data error. Can you explain from where the UTC's meter usage records originated? Staff used the data provided by Rainier View. Do you please respond.
2. Your chart identifies North Star (1547015) as accounting for 397,900 cu. ft. of water usage in 2008. The District's 2009 analysis shows 65,400 cu. ft. of water use in 2009. There is a similar error/discrepancy for the usage information for the other North Star (2431956) meter. Your chart shows 619,400 cu. ft and the District's 2009 records show 212,300 cu. ft. The District has been unable to account for this significant discrepancy. See answer above.
3. Your chart states the district has 31 meters, but only lists out 25 meters in your analysis. Do these remaining six meters generate any charges? Yes, there are 31 meters in the list provide by Rick Fring on Thursday (5/13/10); however, six of those meters are part of a "compound" meter (A combination of a large meter and a small meter, with a special change-of-size valve to accurately measure an extremely broad range of flow rates). Therefore, the six meters that are part of the compound meters will not have a flow charge, but will have the usage rolled into the larger meter. See table below.
4. The District is looking into potential billing discrepancies related to Graham-Kepowsin High School. We await further information.

Based on these discrepancies, the district is going back to try and review as many sample schools as possible to ensure an accurate understanding of the water use and impact of the proposed rate increase. The district is continuing to diligently work on analyzing the potential impact. Given the above discrepancies, we propose postponing a potential meeting with the UTC and Rainier View until we have sufficient time to go through our records and compare to the information you have now provided, and see if they can be reconciled.

Given that this new proposal is seeking Commission approval on less than statutory notice, the district has had very limited time to review this data and analyze the same. The above discrepancies have certainly caused additional concern. This lack of time has certainly hampered the district's ability to meaningfully review, analyze, and dialogue regarding these issues. Further, other "commercial" water users have had no meaningful opportunity to consider the proposed changes and their impact. It may be that postponing our meeting and setting over this matter for a later public hearing would be in everyone's best interest, and would ask every one to consider the same.

Thanks,

Joe

**Joseph A. Rehberger**  
 Cascadia Law Group PLLC  
 606 Columbia St. NW, Suite 212  
 Olympia, WA 98501  
 Direct Phone: 360-786-5062  
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 Fax: 360-786-1835

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From: Joe Rehberger <jrehberger@cascadiawater.com>  
Subject: Re: Rainier View Water Co., Inc. - Bethel School District

Date: May 18, 2010 5:22:57 PM PDT

To: "Mickelson, Christopher (UTC)" <cmickels@utc.wa.gov>

Cc: "Ward, Jim (UTC)" <JWard@utc.wa.gov>, "Eckhardt, Gene (UTC)" <geckhard@utc.wa.gov>, <rickfinn@localaccess.com>, <doug@mountainmst.com>, <bob@rainierviewwater.com>, "James M. Hansen" <JHANSEN@bethelsd.org>, "Tom McDonald" <tmcdonald@cascadiawater.com>, "Mary Urback" <murback@urbackplc.com>



Thanks for your response Chris. We will await further clarification on the apparent discrepancies regarding the water usage in the UTC's chart and analysis, which is central to this case. We again propose that this matter be set over so that the District has sufficient time to review any revised data and its impact.

Joe

Joseph A. Rehberger  
Cascadia Law Group PLLC  
606 Columbia St. NW, Suite 212  
Olympia, WA 98501  
Direct Phone: 360-786-5062  
Main Phone: 360-786-5057  
Fax: 360-786-1835

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From: "Mickelson, Christopher (UTC)" <cmickels@utc.wa.gov>  
Subject: RE: Rainier View Water Co., Inc. - Bethel School District  
Date: May 19, 2010 4:31:38 PM PDT  
To: "Joe Rehberger" <jrehberger@cascadiawater.com>  
Cc: "Ward, Jim (UTC)" <JWard@utc.wa.gov>, "Eckhardt, Gene (UTC)" <geckhard@utc.wa.gov>, <rickfinn@localaccess.com>, <cdoug@mountainmist.com>, <bob@rainierviewwater.com>, "James M. Hansen" <JHANSEN@bethelsd.org>, "Tom McDonald" <tmcdonald@cascadiawater.com>, "Mary Urback" <murback@urbackplc.com>  
1 Attachment, 246 KB

Hello Mr. Rehberger and Mr. Hansen,

In working with Rainier View, staff is able to provide answers regarding previously asked questions 1 & 2 (see below). Two things happened when staff sent its original Bethel School District workbook (5/18/10 @ 8:56 am) showing the rate comparisons.

First, staff transposed meter ids with meter usage when extracting BSD's water usage data, which lead to some of the discrepancies; an example of this is with the Liberty (6534428) meter having usage of 190,200 cu.ft., which should have been labeled with meter id Rocky Ridge (1170453) instead. Second, staff misinterpreted data relating to compound meters, which lead to the discrepancies such as Frontier and North Star. Both of these types of issues have been corrected (and verified by the company) and are reflected in the revised BSD workbook (see attachment). I apologize for any confusion that this may have caused.

By the way, staff's answers are still the same for questions 3 & 4. Please contact us, if you have any further questions regarding the 2008 test period usage data. Thanks.

*Chris*

**Christopher T. Mickelson**  
Regulatory Analyst  
Washington Utilities & Transportation Commission  
PO Box 47250  
Olympia, WA 98504-7250  
ph: (360) 664-1267  
fx: (360) 586-1150  
[cmickels@utc.wa.gov](mailto:cmickels@utc.wa.gov)

Washington Utilities and Transportation Commission, 400 North 1st Street, Olympia, WA 98501-3000. Phone: (360) 664-1267. Fax: (360) 586-1150. Website: [www.watc.wa.gov](http://www.watc.wa.gov). This email and any files transmitted with it are confidential and intended solely for the individual named. If you have received this email by mistake, please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail if you are not the named addressee. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail if you are not the named addressee. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail if you are not the named addressee.

From: Joe Rehberger <jrehberger@cascadiawater.com>  
 Subject: Rainier View Water Co. - Docket No. UW-091466  
 Date: May 20, 2010 10:50:58 AM PDT  
 To: "Christopher (UTC) Mickelson" <cmickels@utc.wa.gov>, "Jim (UTC) Ward" <jward@utc.wa.gov>, "Gene (UTC) Eckhardt" <geckhardt@utc.wa.gov>  
 Cc: rickfinn@localaccess.com, doug@mountainmist.com, bob@rainierwater.com, "James M. Hansen" <JHANSEN@bethelsd.org>, "Marcella A. Parrott" <MPARROTT@bethelsd.org>, Tom McDonald <tmcdonald@cascadiawater.com>, Mary Urbach <marback@urbachpilc.com>  
 > 3 Attachments, 509 KB



Chris, and all:

I received your email and revised comparison and analysis chart. Thank you. I have not had time to go through it in much detail, but here are few questions prompted by this new analysis and data:

1. Comparing the chart showing the rate comparisons emailed Tuesday morning with the one provided yesterday afternoon (5/19/10 @ 4:31 pm) shows a 1.6 million cu. ft./year difference in total school district usage for 2008. First, this strikes me as a significant difference. Second, turning to your summary chart, can you explain why the District's 2008 usage would have decreased by 1.6 million cu. ft. between the UTC's two charts, but the total non-residential usage (including the District's usage) would have only decreased by only just over 400,000 cu. ft.
2. Can you provide an explanation why the total calculated usage rate charge under the proposed tariff (using 2008 data) charge identified in your workbook provided today shows different calculated charges on the totals on Sheet 1 and in the summary chart included on Sheet 2?
3. In your email response yesterday afternoon you indicated that UTC staff misinterpreted data relating to billing under compound meters. Can you provide further explanation on what this misinterpretation was, and the new analysis you relied on in your chart from yesterday. In reviewing the District's billing records this morning, the District examined the historic billing records at two schools with compound meters, Centennial and Graham Elementary. I have attached billing record from February and March 2009, reflecting billing for water usage and service for January and February 2009, together with an annual summary chart. Note that it appears that Centennial is charged a meter charge for each (compound) meter and Graham is charge a single meter charge for both (compound) meters. The school district has not had time to review all its records, but provides this as an example. How is this taken into account and analyzed in the UTC's analysis sent to the District yesterday afternoon?
4. At the Open Meeting on May 13, Gene stated on the record that the UTC calculated the proposed tariff revisions to generate approximately \$229,000 in additional revenue from the Company's non-residential customers. Does that representation remain accurate?
5. Can you explain why the calculations in the chart the UTC provided the District at the Open Meeting on May 13 appear to be different from the calculations used in the summary worksheets provided to the District yesterday. For example (recognizing this May 13 chart relies on more recent 2009 data) the UTC estimates the following charges for Graham-Kapowsin High School for the month of March 2009, based on 1,500 cu. ft. of water usage, showing calculated charges of \$47.05 (under current tariff), \$758.27 (under company's 5/09 proposal), and \$593.87 (under Company's 5/10 proposal). Your summary chart from yesterday estimates calculated charges for Graham-Kapowsin High School for January 2008, again based on the same 1,500 cu. ft. of water usage, showing calculated charges of \$24.30 (under current tariff), \$389.50 (under company's 5/09 proposal), and \$301.50 (under Company's 5/10 proposal). How did the UTC make its calculations to arrive at the numbers provided in the handout the UTC provided the District on May 13. I have attached a copy of the handout the UTC provided the District for your convenience.

Regarding the apparent billing discrepancies at Graham-Kapowsin High School, that I noted in a prior email, Jim Hansen intends to follow up directly with Rainier View to explain what the District has been seeing and try and get a better understanding of this issue. The District is working with its staff to pull the system design as-builts and compare usage records to understand the low usage data.

In sum, the District is not trying to unreasonably hold up this process, or a fair and reasonable tariff revision, if determined to be necessary. But it has been exceptionally difficult for the District to know how the rate increase will impact the District without confirmation that we are all looking at the same accurate data and information. That this matter is proceeding with less than statutory notice, and on an accelerated schedule, has made this process difficult on the District. This process typically allows for 30 days notice. The District has been diligently working to analyze this new proposal, and spent two full days trying to reconcile the data and information provided in your chart of 5/19/10. Without a firm understanding of the actual data and analysis, the District cannot confirm and consider the impact of the proposed revisions.

As the scheduled Open Meeting is now only one week away, we again ask that the UTC and Rainier View agree to continue this matter so that the District can meaningfully review this proposal. Even assuming the new analysis is accurate (which we have not had any time to review and analyze) the UTC's analysis still shows the District looking at a 116% increase, to go into effect in less than two weeks.

Thank you for your attention to this matter, and we will look forward to your response. In the interim, the District will continue to review the data provided.

Joe

Joseph A. Rehberger  
 Cascadia Law Group PLLC  
 606 Columbia St. NW, Suite 212  
 Olympia, WA 98501  
 Direct Phone: 360-786-5062  
 Main Phone: 360-786-5057  
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Centennial.pdf (24 KB)

Graham.pdf (20 KB)

2009 Date	Usage in Ccu Ft.	Current Monthly Bill	Sept 2009		Re-use in District	
			Person's Monthly Bill	Mo. 2009 Revised Monthly Bill		
<b>North Star (2411996)</b>						
Jan	0	\$19.77	\$111.61	\$88.44	\$176.07	-49.9%
Feb	0	\$19.77	\$111.61	\$88.44	\$176.07	-49.9%
Mar	0	\$19.77	\$111.61	\$88.44	\$176.07	-49.9%
Apr	900	\$24.30	\$122.16	\$120.24	\$338.97	-71.5%
May	6,300	\$67.30	\$229.21	\$149.27	\$338.97	-37.7%
Jun	21,600	\$194.40	\$499.86	\$344.40	\$668.07	-60.2%
Jul	51,300	\$467.10	\$1,133.41	\$826.60	\$2,169.99	-57.9%
Aug	66,500	\$592.70	\$1,377.61	\$1,167.17	\$2,410.29	-51.6%
Sep	10,100	\$101.00	\$294.27	\$111.40	\$177.47	-51.7%
Oct	52,500	\$465.70	\$1,076.91	\$846.19	\$1,109.29	-29.6%
Nov	0	\$19.77	\$111.61	\$88.44	\$176.07	-49.9%
Dec	0	\$19.77	\$111.61	\$88.44	\$176.07	-49.9%
<b>Total</b>		<b>\$2,011.70</b>	<b>\$5,237.12</b>	<b>\$4,263.47</b>	<b>\$9,466.20</b>	<b>-50.0%</b>
<b>Percent Increase from Current Monthly Bill</b>			<b>160.4%</b>	<b>107.0%</b>	<b>270.7%</b>	
<b>North Star (1547045)</b>						
Jan	4,700	\$54.42	\$194.31	\$128.70	\$342.84	-61.2%
Feb	7,500	\$79.20	\$246.11	\$132.18	\$299.84	-64.0%
Mar	6,700	\$77.81	\$231.33	\$145.39	\$405.84	-64.2%
Apr	5,200	\$60.20	\$209.11	\$111.47	\$339.94	-61.1%
May	7,100	\$79.20	\$246.11	\$145.39	\$429.84	-64.0%
Jun	2,500	\$29.70	\$104.11	\$51.19	\$135.34	-64.6%
Jul	4,400	\$51.00	\$188.76	\$127.36	\$342.84	-61.9%
Aug	1,300	\$15.90	\$53.42	\$28.00	\$72.84	-71.2%
Sep	1,500	\$17.70	\$61.31	\$30.49	\$78.84	-71.0%
Oct	4,400	\$51.00	\$188.76	\$127.36	\$339.84	-64.0%
Nov	5,500	\$63.90	\$229.11	\$145.39	\$390.84	-63.4%
Dec	5,900	\$68.10	\$239.01	\$147.69	\$417.84	-64.3%
<b>Total</b>		<b>\$744.97</b>	<b>\$2,495.27</b>	<b>\$1,617.42</b>	<b>\$4,239.69</b>	<b>-65.1%</b>
<b>Percent Increase from Current Monthly Bill</b>			<b>237.0%</b>	<b>118.1%</b>	<b>525.6%</b>	
<b>Penow H (384901)</b>						
Jan	8,400	\$87.41	\$302.75	\$199.94	\$561.14	-71.9%
Feb	10,400	\$107.15	\$367.16	\$199.94	\$652.34	-70.6%
Mar	12,800	\$127.20	\$338.63	\$219.44	\$738.84	-70.2%
Apr	10,400	\$107.15	\$367.16	\$199.94	\$652.34	-70.7%
May	11,500	\$117.20	\$397.11	\$232.44	\$721.84	-70.0%
Jun	115,300	\$1,153.00	\$3,635.41	\$2,321.29	\$5,207.73	-79.5%
Jul	365,300	\$3,653.00	\$11,922.91	\$7,331.89	\$16,820.25	-71.9%

From: "Richard A. Finnigan" <rickfinn@localaccess.com>  
Subject: **Re: Rainier View Water Co. - Docket No. UW-091466**  
Date: May 20, 2010 1:44:36 PM PDT  
To: Joe Rehberger <jrehberger@cascadialaw.com>  
Cc: doug@mountainmist.com, bob@mountainmist.com, Jim Ward <jward@wutc.wa.gov>, "Mickelson, Christopher (UTC)" <cmickels@utc.wa.gov>

Joe, Will the District agree to reimburse Rainier View the approximately \$30,000 per month it will lose for each month this is delayed?

At 10:50 AM 5/20/2010, you wrote:  
Chris, and all:

I received your email and revised comparison and analysis chart. Thank you. I have not had time to go through it in much detail, but here are few questions prompted by this new analysis and data:

1. Comparing the chart showing the rate comparisons emailed Tuesday morning with the one provided yesterday afternoon (5/19/10 @ 4:31 pm) shows a 1.6 million cu. ft./year difference in total school district usage for 2008. First, this strikes me as a significant difference. Second, turning to your summary chart, can you explain why the District's 2008 usage would have decreased by 1.6 million cu. ft. between the UTC's two charts, but the total non-residential usage (including the District's usage) would have only decreased by only just over 400,000 cu. ft.

2. Can provide an explanation why the total calculated usage rate charge under the proposed tariff (using 2008 data) charge identified in your workbook provided today shows different calculated charges on the totals on Sheet 1 and in the summary chart included on Sheet 2?

3. In your email response yesterday afternoon you indicated that UTC staff misinterpreted data relating to billing under compound meters. Can you provide further explanation on what this misinterpretation was, and the new analysis you relied on in your chart from yesterday. In reviewing the District's billing records this morning, the District examined the historic billing records at two schools with compound meters, Centennial and Graham Elementary. I have attached billing record from February and March 2009, reflecting billing for water usage and service for January and February 2009, together with an annual summary chart. Note that it appears that Centennial is charged a meter charge for each (compound) meter and Graham is charge a single meter charge for both (compound) meters. The school district has not had time to review all its records, but provides this as an example. How is this taken into account and analyzed in the UTC's analysis sent to the District yesterday afternoon?

4. At the Open Meeting on May 13, Gene stated on the record that the UTC calculated the proposed tariff revisions to generate approximately \$229,000 in additional revenue from the Company's non-residential customers. Does that representation remain accurate?

5. Can you explain why the calculations in the chart the UTC provided the District at the Open Meeting on May 13 appear to be different from the calculations used in the summary worksheets provided to the District yesterday. For example (recognizing this May 13 chart relies on more recent 2009 data) the UTC estimates the following charges for Graham-Kapowsin High School for the month of March 2009, based on 1,500 cu. ft. of water usage, showing calculated charges of \$47.05 (under current tariff), \$758.27 (under company's 5/09 proposal), and \$593.87 (under Company's 5/10 proposal). Your summary chart from yesterday estimates calculated charges for Graham-Kapowsin High School for January 2008, again based on the same 1,500 cu. ft. of water usage, showing calculated charges of \$24.30 (under current tariff), \$389.50 (under company's 5/09 proposal), and \$301.50 (under Company's 5/10 proposal). How did the UTC make its calculations to arrive at the numbers provided in the handout the UTC provided the District on May 13. I have attached a copy of the handout the UTC provided the District for your convenience.

Regarding the apparent billing discrepancies at Graham-Kapowsin High School, that I noted in a prior email, Jim Hansen intends to follow up directly with Rainier View to explain what the District has been seeing and try and get a better understanding of this issue. The District is working with its staff to pull the system design as-builts and compare usage records to understand the low usage data.

In sum, the District is not trying to unreasonably hold up this process, or a fair and reasonable tariff revision, if determined to be necessary. But it has been exceptionally difficult for the District to know how the rate increase will impact the District without confirmation that we are all looking at the same accurate data and information. That this matter is proceeding with less than statutory notice, and on an accelerated schedule, has made this process difficult on the District. This process typically allows for 30 days notice. The District has been diligently working to analyze this new proposal, and spent two full days trying to reconcile the data and information provided in your chart of 5/18/10. Without a firm understanding of the actual data and analysis, the District cannot confirm and consider the impact of the proposed revisions.

As the scheduled Open Meeting is now only one week away, we again ask that the UTC and Rainier View agree to continue this matter so that the District can meaningfully review this proposal. Even assuming the new analysis is accurate (which we have not had any time to review and analyze) the UTC's analysis still shows the District looking at a 116% increase, to go into effect in less than two weeks.

Thank you for your attention to this matter, and we will look forward to your response. In the interim, the District will continue to review the data provided.

Joe

Joseph A. Rehberger  
Cascadia Law Group PLLC  
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Olympia, WA 98501  
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From: Joe Rehberger <jrehberger@cascadiaw.com>  
Subject: Fwd: Rainier View Water Co. - Docket No. UW-091466  
Date: May 20, 2010 5:50:35 PM PDT  
To: "Christopher (UTC) Mickelson" <cmickels@utc.wa.gov>  
> 3 Attachments, 509 KB



Chris,

Thanks for the call earlier today. Do you still intend to provide an email response to the issues below, including the meter charging issues we discussed under the current and proposed tariff. I was hoping to have something to pass along to my client. Thanks.

Joe

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Olympia, WA 98501  
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Begin forwarded message:

From: Joe Rehberger <jrehberger@cascadiaw.com>  
Date: May 20, 2010 10:50:58 AM PDT  
To: "Christopher (UTC) Mickelson" <cmickels@utc.wa.gov>, "Jim (UTC) Ward" <ward@utc.wa.gov>, "Gene (UTC) Eckhardt" <geckhardt@utc.wa.gov>  
Cc: nicklin@pccalaccess.com, doug@mountainmist.com, bob@rainierviewwater.com, "James M. Hansen" <JHANSENC@bethel.edu>, "Marcella A. Parrutt" <MPARROTT@bethel.edu>, Tom McDonald <tmcdonald@cascadiaw.com>, Mary Urback <murback@urbarkolc.com>  
Subject: Rainier View Water Co. - Docket No. UW-091466

Chris, and all.

I received your email and revised comparison and analysis chart. Thank you. I have not had time to go through it in much detail, but here are few questions prompted by this new analysis and data.

1. Comparing the chart showing the rate comparisons emailed Tuesday morning with the one provided yesterday afternoon (5/19/10 @ 4:31 pm) shows a 1.6 million cu. ft./year difference in total school district usage for 2008. First, this strikes me as a significant difference. Second, turning to your summary chart, can you explain why the District's 2008 usage would have decreased by 1.6 million cu. ft. between the UTC's two charts, but the total non-residential usage (including the District's usage) would have only decreased by only just over 400,000 cu. ft.
2. Can you provide an explanation why the total calculated usage rate charge under the proposed tariff (using 2008 data) (charge identified in your workbook provided today shows different calculated charges on the totals on Sheet 1 and in the summary chart included on Sheet 2?
3. In your email response yesterday afternoon you indicated that UTC staff misinterpreted data relating to billing under compound meters. Can you provide further explanation on what this misinterpretation was, and the new analysis you relied on in your chart from yesterday. In reviewing the District's billing records this morning, the District examined the historic billing records at two schools with compound meters, Centennial and Graham Elementary. I have attached billing record from February and March 2009, reflecting billing for water usage and service for January, and February, 2009, together with an annual summary chart. Note that it appears that Centennial is charged a meter charge for each (compound) meter and Graham is charged a single meter charge for both (compound) meters. The school district has not had time to review all its records, but provides this as an example. How is this taken into account and analyzed in the UTC's analysis sent to the District yesterday afternoon?
4. At the Open Meeting on May 13, Gene stated on the record that the UTC calculated the proposed tariff revisions to generate approximately \$229,000 in additional revenue from the Company's non-residential customers. Does that representation remain accurate?
5. Can you explain why the calculations in the chart the UTC provided the District at the Open Meeting on May 13 appear to be different from the calculations used in the summary worksheet provided to the District yesterday. For example (recognizing this May 13 chart relies on more recent 2009 data) the UTC estimates the following charges for Graham-Kapowsin High School for the month of March 2009, based on 1,500 cu. ft. of water usage, showing calculated charges of \$47.05 (under current tariff), \$758.27 (under Company's 5/09 proposal) and \$593.87 (under Company's 5/13 proposal). Your summary chart from yesterday estimates calculated charges for Graham-Kapowsin High School for January 2008, again based on the same 1,500 cu. ft. of water usage, showing calculated charges of \$24.30 (under current tariff), \$389.50 (under Company's 5/09 proposal), and \$301.50 (under Company's 5/13 proposal). How did the UTC make its calculations to arrive at the numbers provided in the handout the UTC provided the District on May 13. I have attached a copy of the handout the UTC provided the District for your convenience.

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Centennial.pdf (208 KB)

Graham.pdf (202 KB)