

**From:** [Ann LaRue](#)  
**To:** [O'Neill, Tad Guy \(ATG\)](#); [de Villiers, Stefan \(ATG\)](#)  
**Cc:** [Wiley, Dave](#); [Hartman, Brice C \(ATG\)](#)  
**Subject:** RE: UW-240589 In re Summit View Water - PC Informal Discovery Request Nos 1-20 (9-5-2024)  
**Date:** Wednesday, September 18, 2024 7:05:29 PM

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[EXTERNAL]

Hi Tad – thanks for reaching out for clarification. While we strive to provide complete and accurate responses for all requests for information, SVWW has provided a huge amount of information over a relatively short time. As you're aware, between the 47 staff IDRs and the 20 IDRs from public counsel, SVWW has provided responses to approximately 125 questions many of which required supporting documentation. And we certainly don't want our responses to seem incomplete, so we appreciate the opportunity to clarify and expand, if necessary.

As we have stated in our testimony and responses to IDRs, SVWW previously worked with Rick Finnegan for all UTC matters including disclosing all affiliate interest information to the UTC. SVWW has always strived to remain in compliance with all regulatory requirements, which are ever-increasing. But because Mr. Finnegan passed away unexpectedly earlier this year, we were unable to get verification of what affiliate information had previously been provided to the UTC. Therefore, throughout this rate case, SVWW has endeavored to provide all requested affiliate information to ensure its in compliance with all UTC requirements and regulations and to clarify that EBV is the only affiliate with a shared expense.

Regarding shared labor, there is no subsidization of the regulated company to the affiliate companies for employee hours.

AS004 is the Vineyard Manager as we indicated in our response to PC's IDR #1-1-3iii. AS004 receives no compensation for this work. AS004 has not nor has ever been an Associate, Manager or Viticulturist at Candy Mountain LLC. (CMLLC is owned and Managed by Geoff Clark and Kirk Rathbun, only). AS004 has only done viticulture work for Eagle Butte Vineyards, uncompensated. And yes, AS004 is a Field Manager for Lewis and Clark Irrigation. This employee's hours are split between LCI (1,560) and SVWW (410), and as explained in our previous "clarification" email, AS004 is compensated for this work by each entity. AS004 receives separate "paychecks" from each affiliate. For SM006, those positions were previously held by this employee. However, the scope of work for EBV and CMF has changed over the last several years, therefore SM006 no longer works for these entities. Due to the changes at EBV previously described, in early 2024, SM006 worked on a limited project for EVB, and was compensated for that work by EBV. This employee's hours are currently split between LCI (410) and SVWW (1,872), and SM006 is compensated for this work by each entity. This employee also receives separate "paychecks" from each affiliate.

Please understand, all of Mr. Rathbun and Mr. Clark's employees worked for CMF at some point in time. However, as the Farm activity of CMF diminished, a few employees were transferred to SVWW. Most of this happened between 2010 and 2018.

We are aware the open meeting is only one-week away. And we appreciate your efforts to resolve these issues in advance of the open meeting.

Ann LaRue

CPA | MBA

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360.561.9717

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**From:** O'Neill, Tad Guy (ATG) <Tad.ONEill@atg.wa.gov>

**Sent:** Wednesday, September 18, 2024 10:52

**To:** Ann LaRue <ann@kalahikiconsulting.com>; de Villiers, Stefan (ATG) <stefan.devilliers@atg.wa.gov>

**Cc:** Wiley, Dave <dwiley@williamskastner.com>; Hartman, Brice C (ATG) <brice.hartman@atg.wa.gov>

**Subject:** RE: UW-240589 In re Summit View Water - PC Informal Discovery Request Nos 1-20 (9-5-2024)

Ms. LaRue,

Thank you for Summit View's willingness to work with Public Counsel. We appear to be running into a miscommunication here. I've cc'd Dave Wiley on this email to focus his attention on our concern that there are undisclosed relationships between Summit View and affiliated entities.

We are interested in learning whether there are any Summit View employees who have employment relationships with the identified entities, whatever their titles or pay arrangements. We are concerned that your answer is incomplete. Specifically, your response identified AS004 as the Vineyard Manager for Eagle Butte Vineyards. Our initial research suggests that AS004 is also an Associate, Manger and Viticulturist at Candy Mountain LLC, and a Field Manager at Lewis & Clark Irrigation. Can you confirm that AS004 has these additional roles at the identified affiliated entities?

Additionally, we have reason to believe that SM006, who has been the Controller at Summit View Water Works since 2015, is also currently the Controller at Eagle Butte Vineyards, Lewis & Clark Irrigation, and Candy Mountain Farms, LLC.

For clarity, we have identified AS004 as [REDACTED] and SM006 as [REDACTED].

If there are any other Summit View employees who hold positions at the affiliate companies listed in Public Counsel IDR 1-1-3, please identify those employees and the positions they hold at affiliate companies. If AS004 or SM006 hold any affiliate company positions not mentioned here, please identify those positions as well.

Also, as a procedural matter, I've added Brice Hartman to this email chain as he helps us track

responses. Can you be sure to include him in the reply?

Tad Robinson O'Neill  
Assistant Attorney General  
Public Counsel Unit  
800 Fifth Avenue  
Suite 2000  
Seattle, WA 98104-3188  
(206) 254-0570

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**From:** Ann LaRue <[ann@kalahikiconsulting.com](mailto:ann@kalahikiconsulting.com)>  
**Sent:** Tuesday, September 17, 2024 10:27 AM  
**To:** de Villiers, Stefan (ATG) <[Stefan.deVilliers@atg.wa.gov](mailto:Stefan.deVilliers@atg.wa.gov)>  
**Cc:** O'Neill, Tad Guy (ATG) <[Tad.ONeill@atg.wa.gov](mailto:Tad.ONeill@atg.wa.gov)>  
**Subject:** RE: UW-240589 In re Summit View Water - PC Informal Discovery Request Nos 1-20 (9-5-2024)

[EXTERNAL]

To clarify, we provided the title information that was requested in PC's original IDR #1-1-3 (shown below). But to answer your question in this email, if any SVWW employees do work for any affiliate, which only include LCI and EBV, those affiliates pay the wages and related payroll taxes.

### **PC Informal Data Request #1-1**

For each of Summit View's employees identified in Ann LaRue, Exhibit AML-03, please provide the following:

- 3) Any **titles** the employee may hold at the following companies or special purpose districts:
- i. Candy Mountain LLC (CMLLC);
  - ii. Tri City Development Inc;
  - iii. Eagle Butte Vineyards LLC (EBV);
  - iv. Candy Mountain Farms LLC;
  - v. DV and C Companies LLC (DV&C);
  - vi. Lewis and Clark Irrigation LLC;
  - vii. Badger Mountain Irrigation District; and
  - viii. Kennewick Irrigation District.

### Response for PC IDR #1-1-3

- i. CMLLC – RK007 & CG008 Managing Members & Owners
- ii. TCDC – RK007 Vice President & Owner | CG008 President & Owner
- iii. EBV – RK007 & CG008 Managing Members & Owners | AS004 Vineyard Manager
- iv. CMF – RK007 Managing Member & Owner
- v. DV&C – RK007 Managing Member & Owner
- vi. LCI – RK007 Managing Member & Owner
- vii. BMID – CG008 elected board member

viii. KID – RK007 elected board member

Ann LaRue

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**From:** de Villiers, Stefan (ATG) <[stefan.devilliers@atg.wa.gov](mailto:stefan.devilliers@atg.wa.gov)>

**Sent:** Friday, September 13, 2024 16:45

**To:** Ann LaRue <[ann@kalahikiconsulting.com](mailto:ann@kalahikiconsulting.com)>

**Cc:** O'Neill, Tad Guy (ATG) <[Tad.ONeill@atg.wa.gov](mailto:Tad.ONeill@atg.wa.gov)>

**Subject:** RE: UW-240589 In re Summit View Water - PC Informal Discovery Request Nos 1-20 (9-5-2024)

Thank you for this, Ann.

To clarify, can you confirm that Summit View's response to Public Counsel IDR 1-1-3 means that that no other employees than RK007, CG008, and AS004 are employed (or have been employed since the start of the test year) by an affiliated company? Are the disclosed affiliations complete for RK007, CG008, and AS004?

Thank you,

**Stefan de Villiers**

Regulatory Analyst, Public Counsel Unit

Washington State Office of the Attorney General

800 5th Avenue, Suite 2000, Seattle, WA 98104

Office: (206) 464-6215 | Cell: (206) 948-7375

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**From:** Ann LaRue <[ann@kalahikiconsulting.com](mailto:ann@kalahikiconsulting.com)>

**Sent:** Friday, September 13, 2024 12:03 PM

**To:** Hartman, Brice C (ATG) <[brice.hartman@atg.wa.gov](mailto:brice.hartman@atg.wa.gov)>; Dave Wiley <[dwiley@williamkastner.com](mailto:dwiley@williamkastner.com)>; DeMarco, Elizabeth M (ATG) <[Elizabeth.DeMarco@atg.wa.gov](mailto:Elizabeth.DeMarco@atg.wa.gov)>; Gafken, Lisa (ATG) <[lisa.gafken@atg.wa.gov](mailto:lisa.gafken@atg.wa.gov)>; Roth, Jeanne (ATG) <[jeanne.roth@atg.wa.gov](mailto:jeanne.roth@atg.wa.gov)>; Sharbono, Benjamin (UTC) <[benjamin.sharbono@utc.wa.gov](mailto:benjamin.sharbono@utc.wa.gov)>; Summit View Water <[svww04@gmail.com](mailto:svww04@gmail.com)>

**Cc:** de Villiers, Stefan (ATG) <[stefan.devilliers@atg.wa.gov](mailto:stefan.devilliers@atg.wa.gov)>; O'Neill, Tad Guy (ATG) <[Tad.ONeill@atg.wa.gov](mailto:Tad.ONeill@atg.wa.gov)>

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[EXTERNAL]

Stefan,

Attached are the company's responses to public counsel's informal data requests.

In reference to your cover letter of September 5 seeking witness information et al. for "cross examination," Dave Wiley points out to me that WAC 480-07-405 (2) and data request formatting rules are not applicable to informal data requests and responses as there is no suspension order in place, no protective or other order authorizing discovery that has been issued. Because of that, we have not asserted any formal objections to the DRs and hope you can appreciate our mutual efforts here at informal cooperation to move this case forward to resolution.

Please reach out with any questions.

*Ann LaRue*

**CPA | MBA**

**Owner, Kalahiki Consulting LLC**

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**From:** Hartman, Brice C (ATG) <[brice.hartman@atg.wa.gov](mailto:brice.hartman@atg.wa.gov)>

**Sent:** Thursday, September 5, 2024 13:25

**To:** Ann LaRue <[ann@kalahikiconsulting.com](mailto:ann@kalahikiconsulting.com)>; Dave Wiley <[dwiley@williamkastner.com](mailto:dwiley@williamkastner.com)>; DeMarco, Elizabeth M (ATG) <[Elizabeth.DeMarco@atg.wa.gov](mailto:Elizabeth.DeMarco@atg.wa.gov)>; Gafken, Lisa (ATG) <[lisa.gafken@atg.wa.gov](mailto:lisa.gafken@atg.wa.gov)>; Roth, Jeanne (ATG) <[jeanne.roth@atg.wa.gov](mailto:jeanne.roth@atg.wa.gov)>; Sharbono, Benjamin (UTC) <[benjamin.sharbono@utc.wa.gov](mailto:benjamin.sharbono@utc.wa.gov)>; Summit View Water <[svww04@gmail.com](mailto:svww04@gmail.com)>

**Cc:** de Villiers, Stefan (ATG) <[stefan.devilliers@atg.wa.gov](mailto:stefan.devilliers@atg.wa.gov)>; O'Neill, Tad Guy (ATG) <[Tad.ONeill@atg.wa.gov](mailto:Tad.ONeill@atg.wa.gov)>

**Subject:** UW-240589 In re Summit View Water - PC Informal Discovery Request Nos 1-20 (9-5-2024)

Dear Parties,

Please find attached a letter to Ann LaRue as Summit View's representative. Acompanying this letter is the informal discovery request on behalf of Public Counsel (No(s) 1 through 20).

If you have any questions please feel free to contact me.

*Kind regards,*

*Brice C. Hartman*

*Public Counsel Unit Paralegal*

*Washington State Office of the Attorney General*

*800 5th Ave, Suite 2000 | Seattle, WA 98104*

*Direct: (206)342-6425*

*Pronouns: He/Him*