

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of)	DOCKET UG-080505
)	
CITY OF ENUMCLAW,)	ORDER 01
)	
To Amend its Certificate of Public)	
Convenience and Necessity to Operate)	
a Gas Plant for Hire in King County,)	
Washington)	ORDER GRANTING APPLICATION
.....)	

BACKGROUND

- 1 On March 18, 2008, in compliance with RCW 80.28.190, the City of Enumclaw (Enumclaw or City) filed with the Washington Utilities and Transportation Commission (Commission) an application to amend its present Certificate of Public Convenience and Necessity to Operate a Gas Plant for Hire, to include an additional area in King County, Washington (part of Section 35, Township 21 North, Range 5 East) contiguous to presently certificated areas (Exhibit A, attached).
- 2 Enumclaw presently holds a certificate for and is providing gas service in the City of Enumclaw and parts of King County, Washington. Enumclaw is requesting a certificate to expand its service area into the certificated area of Puget Sound Energy, Inc. (PSE). The additional area requested is contiguous to the existing certificated area (See attachment for legal description, Exhibit B).
- 3 The City has a gas main with sufficient supply within 600 feet of the area proposed to be transferred. PSE contends that this is a reasonable basis on which to amend Enumclaw’s certificated area.
- 4 Staff has reviewed Enumclaw’s application and all supporting documents. It appears that the City of Enumclaw is well suited to serve the requested service territory, therefore, the application should be granted to satisfy public convenience and necessity.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including gas companies. *RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.*

- 6 (2) Enumclaw is a gas provider subject to Commission jurisdiction.
- 7 (3) Under RCW 80.28.190, no gas company shall operate in this state any gas plant for hire without first having obtained from the Commission a certificate declaring that public convenience and necessity requires or will require the operation and setting forth the area or areas within which service will be rendered.
- 8 (4) Enumclaw filed an application to amend its Certificate of Public Convenience and Necessity to include an additional area in King County. This area is contiguous to Enumclaw's presently certificated area and PSE, the current certificate holder, is relinquishing its rights to this area.
- 9 (5) This matter came before the Commission at its regularly scheduled meeting on April 30, 2008.
- 10 (6) After reviewing Enumclaw's application filed in Docket UG-080505 and giving due consideration, the Commission finds it is consistent with public convenience and necessity that Enumclaw's certificate be amended to reflect the addition in King County.

O R D E R

THE COMMISSION ORDERS:

- 11 City of Enumclaw's application to amend its Certificate of Public Convenience and Necessity to Operate a Gas Plant for Hire within the certificated area in King County, Washington (part of Section 35, Township 21 North, Range 5 East) is granted and the Certificate shall be modified in accordance with Exhibit B which is attached to this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective April 30, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROL J. WASHBURN, Executive Secretary

EXHIBIT A

Legal Description for the City of Enumclaw Gas Franchise, all within King County, Washington.

Beginning at the Northwest Corner of Section 27, Township 21 North, Range 05 East, W.M.; Thence East along the North line of Section 27, 3,497 feet, more or less, to the point where the North West Pipeline Corporations transmission line crosses said line; Thence Southerly, following said transmission line, as delineated on King Co. Assessors Maps (NE 27-21-05 and SE 27-21-05) to a point 600 feet northerly of the Enumclaw Gas Lateral; Said lateral lays 20 feet more or less South of the centerline of the Auburn-Enumclaw Highway; Thence Southeasterly paralleling the Enumclaw lateral at a distance of 600 feet through Sections 24, 34, and 35, Township 21 North, Range 05 East, W.M.; Thence East along the North line of Section 2 and 1, Township 20 North, Range 05 East and Sections 6, 5, 4, 3, 2, and 1, Township 20 North, Range 06 East and Section 6, Township 20 North, Range 07 East, W.M. to the Northeast corner of said Section 6, Township 20 North, Range 07 East, W.M.; Thence South along the East line of Sections 6, 7, 18, 19, 30, and 31 Township 20 North, Range 07 East and Section 6 and 7 Township 19 North, Range 07 East, W.M. to the intersection with the Centerline of the White River; Thence Northwesterly along the centerline of the White River to the Centerline of Section 34, Township 21 North, Range 05 East, W.M.; Thence North along the Centerline of Section 34 and 27, Township 21 North, Range 05 East, W.M. to its intersection with the Centerline of Auburn-Enumclaw Highway; Thence Northwesterly along the Centerline of the Auburn-Enumclaw Highway to its intersection with the West line of Section 27, Township 21 North, Range 05 East, W.M.; Thence North along the West line of Section 27 to its Northwest Corner and the Point of Beginning.

Less that portion within the City Limits of the City of Enumclaw and Less that portion within the City Limits of the City of Auburn as Delineated on the King County Assessors Map.

Exhibit B

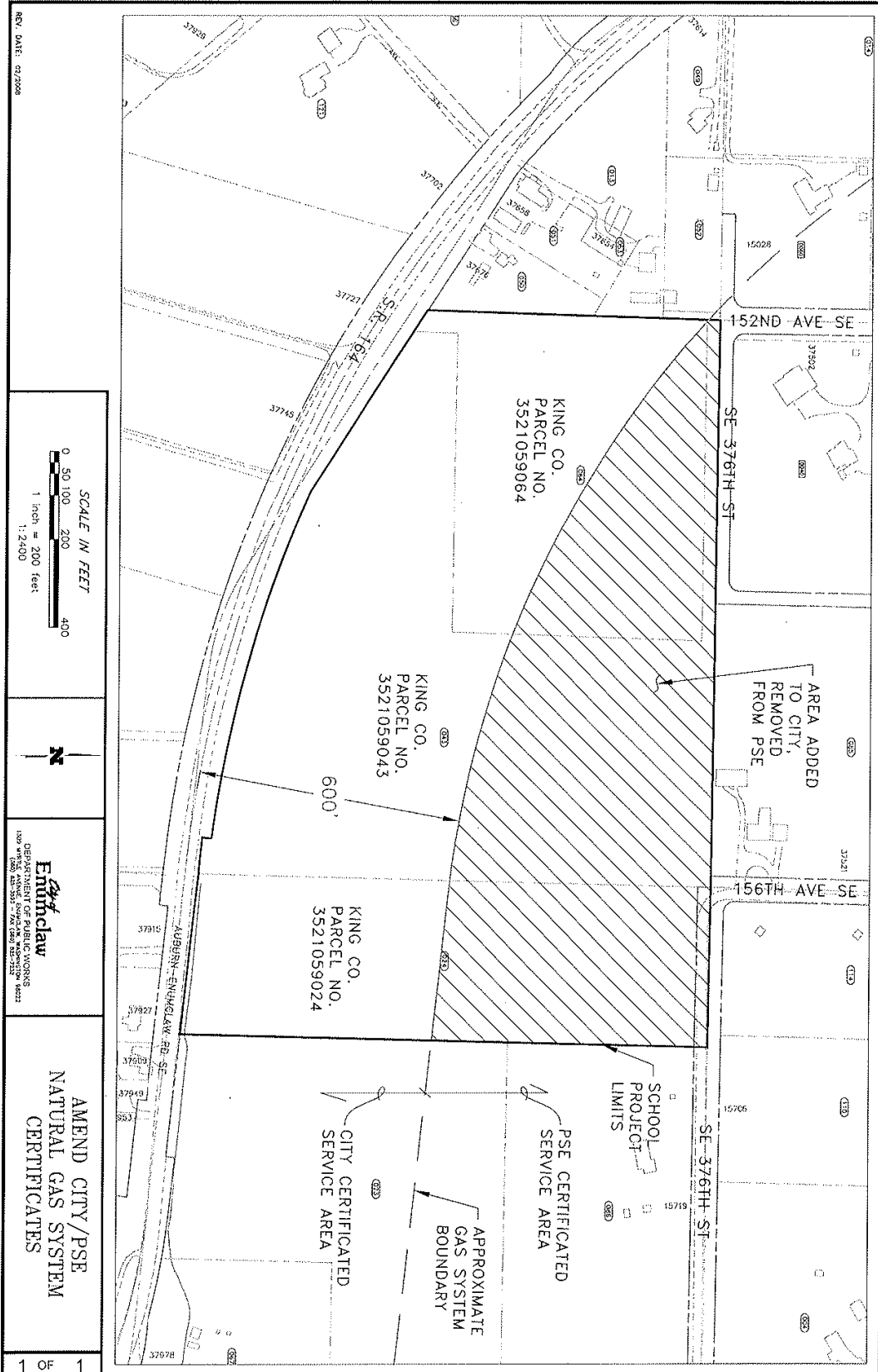


Exhibit B

CITY OF ENUMCLAW

LEGAL DESCRIPTION

Portions of King County and the City of Enumclaw

Beginning at the Northwest corner of Sec. 27, T. 21 N., R. 5 E. W. M.; thence East along the North line of said Sec. 27 to the point where the Northwest Pipeline Corporation's Transmission line crosses; thence Southerly following said Transmission line to a point 600 feet from the Enumclaw Gas lateral, such 600 feet measured Northerly from a point where said lateral parallels State Highway 167; thence Southeasterly paralleling the Enumclaw lateral at a distance of 600 feet through Sec. 27, 34 and 35, T. 21 N., R. 5 E. to the North line of Sec. 2, T. 20 N., R. 5 E.; thence East along the North line of Secs. 2 and 1, T. 20 N., R. 5 E., and Secs. 6, 5, 4, 3, 2 and 1, T. 20 N., R. 6 E., and Sec. 6, T. 20 N., R. 7 E., to the Northeast corner of said Sec. 6; thence South along the East line of Secs. 6, 7, 18, 19, 30 and 31, T. 20 N., R. 7 E., and Secs. 6 and 7, T. 19 N., R. 7 E., to the intersection with the centerline of the White River; thence Northwesterly along the center line of the White River to the center line of Sec. 34, T. 21 N., R. 5 E.; thence North along the centerline of Sec. 34 and 27, T. 21 N., R. 5 E., to its intersection with the centerline of State Highway 167; thence Northwesterly along the centerline of State Highway 167 to its intersection with the West line of Sec. 27, T. 21 N., R. 5 E.; thence North along the West line of said Sec. 27 to its Northwest corner, the point of beginning.

TOGETHER WITH that portion of the northeast quarter of the southwest quarter and the west 22 rods of the northwest quarter of the southeast quarter of Sec. 35, T. 21 N., R. 5 E., lying 600 feet north of said Enumclaw Gas lateral where said lateral parallels State Highway 167, said portion being added to Enumclaw gas service area March 2008.

PUGET SOUND ENERGY

LEGAL DESCRIPTION

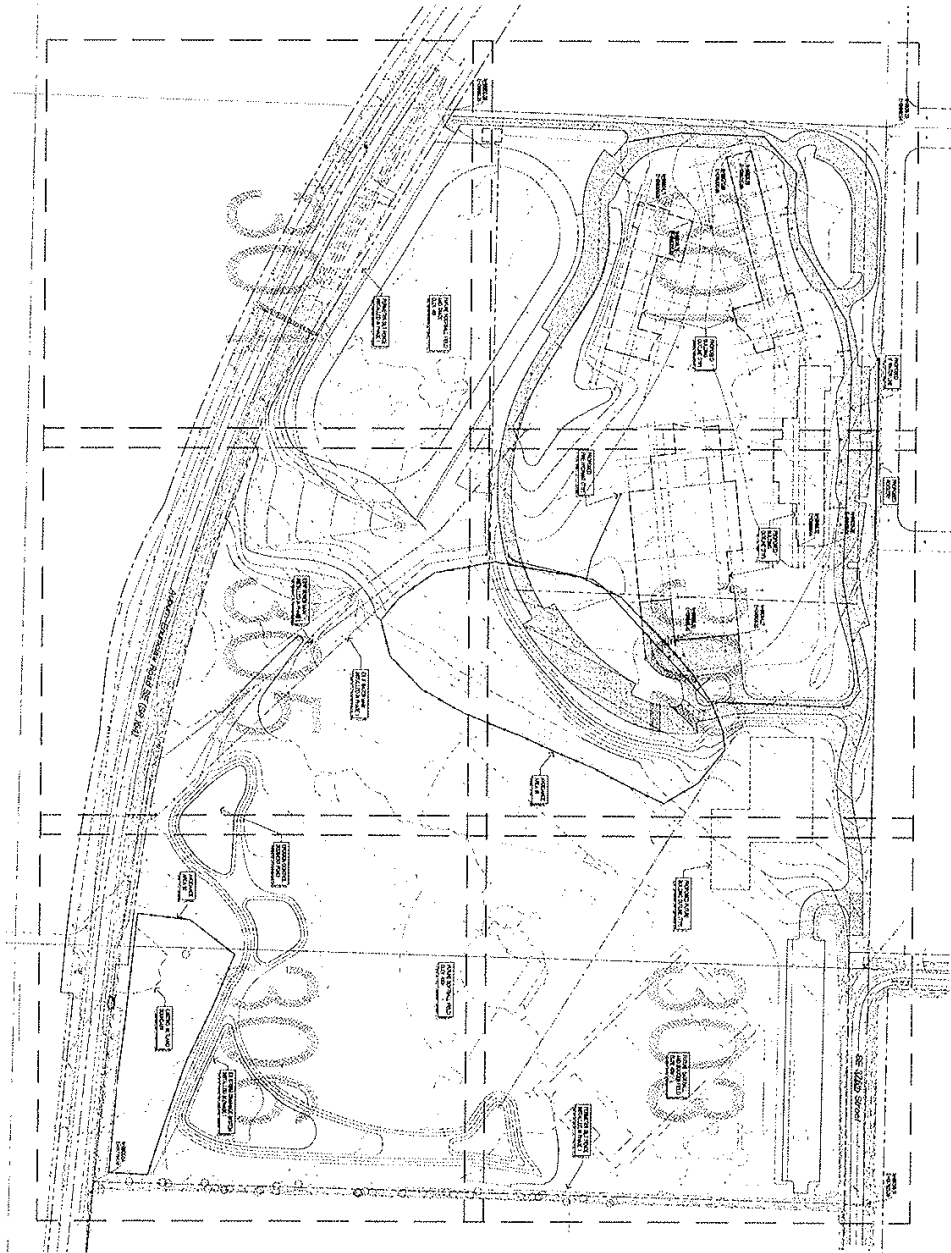
Portions of Pierce and King Counties described as follows:

Beginning at the point where the Northwest Pipeline Corporation Transmission Line intersects the North line of Sec. 27, T. 21 N., R. 5 E. W.M.; thence Southerly following said Transmission line to a point 600 feet from the Enumclaw Gas Transmission Lateral, such 600 feet measured Northerly from a point where said lateral parallels State Highway 167; thence Southerly and East paralleling the Enumclaw lateral at a distance of 600 feet through Secs. 27, 34 and 35, T. 21 N., R. 5 E., to the north line of Sec. 2, T. 20 N., R. 5 E.; thence East along the North line of Secs. 2 and 1, T. 20 N., R. 5 E., and Secs. 6, 5, 4, 3, 2 and 1, T. 20 N., R. 6 E., and Sec. 6, T. 20 N., R. 7 E., to the Northeast corner of said Sec. 6, thence North along the East line of Secs. 31 and 30, T. 21 N., R. 7 E., to the Northeast corner of said Sec. 30; thence West along the North line of said Sec. 30, T. 21 N., R. 7 E., and Secs. 25, 26, 27, 28, 29 and 30, T. 21 N., R. 6 E., and Secs, 25, 26 and 27, T. 21 N., R. 5 E., to the point of beginning.

Beginning at the point where the centerline of State Highway 167 intersects the West line of Sec. 27, T. 21 N., R. 5 E. W.M.; thence Southeasterly along said highway 167 centerline, to the centerline of Sec. 27, T. 21 N., R. 5 E. thence South along the centerline of Secs. 27 and 34 T. 21 N., R. 5 E. to the centerline of the White River; thence Southeasterly along the centerline of the White River through Sec. 34, T. 21 N., R. 5 E. and Sec. 2, 3, 11 and 12, T. 20 N., R. 5 E. to the south line of the said Sec 12; thence west along the south line of Sec. 12, T. 20 N., R. 5 E. to the west line of said Sec. 12; thence north along the west line of said Sec 12 to where it intersects the centerline of the White River; thence Northwesterly along the centerline of the White River to the south line of Sec. 2, T 20 N., R. 5 E.; thence West along the South line of said Sec. 2 to the West line of said Sec. 2: thence North along the West line of Sec. 2, T. 20 N., R.5 E. to the centerline of the White River; thence Northwesterly along the centerline of the White River to the south line of Sec. 34, T. 21 N., R. 5 E.; thence West along the South line of said Sec. 34 to its West line; thence North along the West line of Sec. 34 and 27 T. 21 N., R. 5 E. to the centerline of State Highway 167 the point of beginning.

EXCEPT that portion of the northeast quarter of the southwest quarter and the west 22 rods of the northwest quarter of the southeast quarter of Sec. 35, T. 21 N., R. 5 E., lying 600 feet north of said Enumclaw Gas lateral where said lateral parallels State Highway 167, said portion being added to Enumclaw gas service area March 2008.

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 Sheet
 1000-01-1118
 SCALE: 1"=100'



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NO.	DATE	DESCRIPTION
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2	08/11/05	ISSUED FOR PERMIT
3	07/11/05	ISSUED FOR PERMIT
4	06/11/05	ISSUED FOR PERMIT
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