

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

WASHINGTON WATER SUPPLY,
INC.,

Respondent.

DOCKET UW-230997

ORDER 03

PREHEARING CONFERENCE
ORDER AND NOTICE OF HYBRID
HEARING

(Set for August 26, 2024,
at 9:30 a.m.)

- 1 **NATURE OF PROCEEDING.** On December 8, 2023, Washington Water Supply, Inc. (Washington Water Supply or Company) filed with the Washington Utilities and Transportation Commission (Commission) tariff revisions that would re-institute a \$60.00 per month surcharge for a period of six months or until it collects \$13,710.00 for costs related to trucking water during well rehabilitation. Washington Water Supply provides regulated water service to approximately 140 customers. However, the requested surcharge is limited to approximately 42 customers on the Echo Glenn system. The Company’s last general rate filing was in 2001.

- 2 **CONFERENCE.** The Commission convened a virtual prehearing conference on March 25, 2024, before Administrative Law Judge Connor Thompson.

- 3 **APPEARANCES.** Alysa Grimes of Bagwell Law, PLLC, represents Washington Water Supply, Inc. Cassandra Jones and Lisa Gafken represent the Commission. Contact information for the parties’ representatives is attached as Appendix A to this Order.

- 4 **DISCOVERY.** In order to facilitate an efficient resolution to this matter, discovery will be immediately available to the parties and shall be conducted under the Commission’s discovery rules, Washington Administrative Code (WAC) 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution. The Commission will issue a separate protective order at the request of the parties.

- 5 **PROCEDURAL SCHEDULE.** The parties presented an agreed procedural schedule at the prehearing conference. Staff additionally recommended that a public comment

hearing should be held in this docket, but the parties did not present a date for the public comment hearing. The Commission adopts the proposed procedural schedule, which is attached to this Order as Appendix B. The parties may modify the date of the settlement conference by providing written notice to the Commission.

- 6 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all of the following requirements:
- (a) Parties must submit electronic copies of all documents by 5 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. Parties must comply with WAC 480-07-140(6) in formatting, organizing, and identifying electronic files.
 - (b) The Commission accepts only electronic versions of documents for formal filing. Parties must submit documents electronically through the Commission's web portal (www.utc.wa.gov/e-filing). If a party is unable to use the web portal to submit documents for filing, the Commission will accept a submission via email to records@utc.wa.gov, provided that the email: (1) explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).
 - (c) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judge (connor.thompson@utc.wa.gov) by 5 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.
- 7 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on Thursday, August 15, 2024**. The Commission requires electronic copies in searchable PDF (Adobe Acrobat or comparable software). If any of the exhibits contain information designated as confidential, parties must also file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross-examine with the exhibits.
- 8 **EXHIBIT LISTS.** With each submission of pre-filed testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for exhibit lists it prepares for

evidentiary hearings. Washington Water Supply will prepare its preliminary exhibit list and circulate it to the parties. Each party must file and serve a final list of all exhibits the party intends to introduce into the evidentiary record, including all pre-filed testimony and exhibits, as well as cross-examination exhibits by **5 p.m., August 15, 2024**.

9 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of each witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judge (connor.thompson@utc.wa.gov) and the other parties by email by **Thursday, August 15, 2024, at 5:00 p.m.**

10 **PUBLIC COMMENT HEARING.** The parties agreed to schedule a public comment hearing at a later date.

11 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold a hybrid evidentiary hearing in this docket on **Monday, August 26, 2024, at 9:30 a.m.** Parties may attend the hearing in person at the Commission's headquarters or virtually via Zoom. To attend the hearing via Zoom, [click here to join meeting](#), or call (253) 215-8782 and enter the Conference ID: 876 8498 5212# and use the Passcode: 159661#.

12 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Michael Howard, Director, Administrative Law Division (360-664-1139).

13 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of this Order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this docket, subject to Commission review.**

DATED at Lacey, Washington, and effective March 27, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Connor Thompson
Connor Thompson
Administrative Law Judge

**APPENDIX A
PARTIES' REPRESENTATIVES
DOCKET UW-230997**

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Utilities and Transportation Commission Staff	Jeff Roberson Lisa Gafken Cassandra Jones Office of the Attorney General Utilities and Transportation Division P.O. Box 40128 Olympia, WA 98504-0128	360-810-0509	jeff.roberson@atg.wa.gov lisa.gafken@atg.wa.gov cassandra.jones@atg.wa.gov
Washington Water Supply, Inc.	Scott Ellerby P.O. Box 10923 Bainbridge Island, WA 98110 Kenneth Bagwell Alysa Grimes Bagwell Law, PLLC 9057 Washington Ave. NW Silverdale, Washington 98383	360-516-6799	scottellerbylaw@outlook.com ken@silverdalelawyers.com alysa@silverdalelawyers.com

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UW-230997**

EVENT	DATE
Application Filing	12/08/2023
Prehearing Conference	03/25/2024
Settlement Conference	04/15/2024
Respondent Direct Testimony and Exhibits*	05/30/2024
Response testimony from Complainant**	06/27/2024
Rebuttal and Cross-answering Testimony	07/25/2024
Discovery deadline	08/06/2024
Exhibit List, Cross-Examination Exhibits, Witness Lists, Time Estimates, and Exhibit Errata	08/15/2024
Evidentiary Hearing	08/26/2024
Simultaneous Briefs	09/19/2024
Suspension Date	11/08/2024
Notes: *Response times to data requests shortened to 7 business days ** Response times to data requests shortened to and maintained at 5 business days	