

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

HARRISON-RAY WATER COMPANY,

Respondent.

DOCKET UW-180885  
(*Consolidated*)

ORDER 03

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

HARRISON WATER  
COMPANY/KIONA, LLC,

Respondent.

DOCKET UW-190311  
(*Consolidated*)

ORDER 03

GRANTING MOTION TO MODIFY  
PROCEDURAL SCHEDULE;  
CANCELING HEARING;  
REQUIRING FILING

**BACKGROUND**

- 1 On May 1, 2019, the Washington Utilities and Transportation Commission (Commission) entered Order 01, Order of Consolidation, Complaint for Penalties, and Notice of Prehearing Conference (Order 01) in the above-referenced dockets. Order 01 alleged that Harrison-Ray Water Company, Inc. (Harrison-Ray), committed 915 violations of state

laws and Commission rules and that Harrison Water Company/Kiona, LLC (Harrison/Kiona)<sup>1</sup> committed 571 violations of state laws and Commission rules.

2 The Commission convened a prehearing conference on June 12, 2019, in the captioned matters. During the prehearing conference, the parties proposed a procedural schedule that included an evidentiary hearing scheduled for July 25, 2019. On June 13, 2019, the Commission entered Order 02 in these consolidated dockets, adopting the procedural schedule proposed by the parties.

3 On June 28, 2019, Commission staff (Staff) filed a settlement agreement and narrative on behalf of Staff and the Harrison Companies, noting that the Public Counsel Unit of the Washington State Attorney's General's Office (Public Counsel) had not joined the settlement. In the cover letter of the settlement agreement filing (Motion), Staff and the Harrison Companies request that the Commission amend the procedural schedule in light of the settlement, as follows:

- Cancel the evidentiary hearing (scheduled for July 25, 2019), and the associated exhibit filing deadline;
- add a requirement that Public Counsel file a response to the settlement by July 12, 2019; and
- add a requirement that Staff and the Harrison Companies file a rebuttal to Public Counsel's response by July 25, 2019.

4 Staff states that Public Counsel agrees with the proposed revisions to the procedural schedule, including the proposal that the matter be resolved on a paper record.

### DISCUSSION

5 Under WAC 480-07-375(1)(b), parties may file procedural motions requesting that the Commission modify the procedural schedule in a proceeding. Except for pleadings identified as petitions, a party's written or oral request for Commission action in the context of an adjudicative proceeding is a motion.<sup>2</sup> Thus, we treat Staff's request as a motion to modify the procedural schedule.

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<sup>1</sup> Together, the "Harrison Companies."

<sup>2</sup> WAC 480-07-375(1).

6 Staff states that all parties in the captioned dockets have agreed to the modifications to  
the procedural schedule. Because no party opposes Staff's Motion, and to allow for an  
expeditious resolution of this matter, the Commission grants Staff's Motion and modifies  
the procedural schedule as indicated in Appendix A to this order, including canceling the  
evidentiary hearing set by Order 02.<sup>3</sup>

7 While it is not likely that a hearing will assist the Commission in deciding whether to  
approve and adopt the proposed settlement,<sup>4</sup> the filing of the payment plan discussed in  
paragraph 20 of the settlement agreement would aid the Commission in its decision on  
the settlement agreement. Thus, we require Staff and the Harrison Companies to jointly  
file a proposed payment plan by July 25, 2019, as indicated in Appendix A to this order.

### ORDER

#### THE COMMISSION ORDERS THAT:

- 8 (1) Staff of the Commission's Motion to Modify Procedural Schedule is granted  
and the evidentiary hearing formerly scheduled for July 25, 2019, is canceled.
- 9 (2) Staff and Harrison-Ray Water Company, Inc., and Harrison Water  
Company/Kiona, LLC, must jointly file a proposed payment plan by July 25,  
2019.

Dated at Lacey, Washington, and effective July 8, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

NELLI DOROSHKIN  
Administrative Law Judge

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<sup>3</sup> Appendix A reflects only modifications to the procedural schedule; events that have not been  
modified from the procedural schedule adopted in Order 02 are not included in Appendix A.

<sup>4</sup> WAC 480-07-740(2)(e).

**APPENDIX A**  
**REVISIONS TO PROCEDURAL SCHEDULE**  
**DOCKETS UW-180885 and UW-190311 (*Consolidated*)**

<b>EVENT</b>	<b>PRIOR DEADLINE OR DATE</b>	<b>REVISED DEADLINE OR DATE</b>
Public Counsel Files Response to Settlement	<b>New event</b>	<b>Friday, July 12, 2019</b>
Settling Parties File Reply to Public Counsel's Responsive Filing and Proposed Payment Plan	<b>New event</b>	<b>July 25, 2019</b>
File Hearing Exhibits and Exhibit Lists	<b>Tuesday, July 16, 2019</b>	<b>Canceled</b>
Evidentiary Hearing	<b>Thursday, July 25, 2019</b>	<b>Canceled</b>