

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

In the Matter of the Request of)	DOCKET NO. UW-030302
)	
Rainier View Water Company, Inc.)	ORDER NO. 01
)	
Petitioner,)	
)	
For Less Than Required Notice in Connection with Contract)	ORDER GRANTING LESS THAN REQUIRED NOTICE
.....)	

BACKGROUND

- 1 On March 4, 2003, Rainier View Water Company, Inc., (Rainier View or the Company) filed with the Commission a contract between Rainier View and Supermarket Development Corporation. The contract establishes a facility charge (Supplemental Developer’s fee) that Rainier View will assess Supermarket Development Corporation in anticipation of the consummation of an agreement between the City of Tacoma and Rainier View (Tacoma Agreement) under which the City of Tacoma will supply Rainier View with wholesale water that is necessary to serve the development owned by Supermarket Development Corporation. The contract also establishes an escrow account in which the funds from the Supplemental Developer’s fee will be placed awaiting the disbursements to satisfy Rainier View's obligations under the Tacoma Agreement, including the payment of engineering, banking and legal fees incurred as a result of the development and implementation of the Tacoma Agreement or in the event the Tacoma Contract is not concluded, returned to the contributor.
- 2 WAC 480-80-143 requires thirty days’ notice prior to the effective date of the contract. The contract is part of the supporting agreements for the Tacoma Agreement accounting order which is before the Commission this day, March 12,

2003, therefore the Company requests an earlier effective date of March 13, 2003, as authorized in WAC 480-80-143.

- 3 Since the proposed contract appears to be fair, just, and reasonable, and less than required notice is consistent with the public interest, it is appropriate that the Commission grant Rainier View's request with an effective date of March 13, 2003.

FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, and transfers of public service companies, including water companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.28 RCW.*
- 5 (2) Rainier View is a water company and is a public service company subject to the jurisdiction of the Commission.
- 6 (3) Rainier View is subject to the provisions of WAC 480-80-143 requiring water companies to file contracts for any rate or charge with thirty days' notice, however, for good cause shown the Commission may allow changes without requiring thirty days' notice.
- 7 (4) Staff has reviewed the request in Docket UW-030302 and recommended the less than required notice request of Rainier View be granted.
- 8 (5) This matter was brought before the Commission at its regularly scheduled meeting on March 12, 2003.

- 9 (6) After examination of the proposed contract filed by Rainier View on March 4, 2003, and giving consideration to all relevant matters and for good cause shown, the Commission finds the proposed contract should become effective March 13, 2003.

ORDER

THE COMMISSION ORDERS:

- 10 (1) The request sought by Rainier View Water Company, Inc., for less than required notice is granted.

- 11 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 this 12th day of March, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary