

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

SUMMIT VIEW WATER WORKS,

Respondent.

DOCKET UW-

PETITION FOR EXEMPTION

1 COMES NOW Summit View Water Works (“SVWW” or “Company”), by and through their
counsel Williams Kastner & Gibbs PLLC and David W. Wiley and Michael Howard, 601 Union
Street, Suite 4100, Seattle, Washington, 98101, and hereby petitions the Washington Utilities
and Transportation Commission (“Commission”), pursuant to WAC 480-80-015, WAC 480-
110-215, and WAC 480-07-110, seeking a temporary exemption from its requirement to issue
bills for irrigation to its customers by April 1st of this year, as required by its tariff.

I. PRELIMINARY STATEMENT

2 SVWW is currently awaiting the Commission’s order resolving its general rate case filing in
Docket UW-240589. SVWW and Commission staff (“Staff”) submitted a full multiparty
settlement between the Company and Staff on November 21, 2024. Public Counsel requested a
public comment hearing, which was held on January 30, 2025, but did not otherwise oppose the
multiparty settlement.

3 Irrigation service comprises a significant portion of SVWW’s revenue. However, the Company
is concerned that issuing annual bills for irrigation service by April 1, 2025 as the current tariff
note prescribes, they would be issued at current tariff rates in place since 2019. This will

effectively deprive the Company of much-needed rate relief for its irrigation service for the entire 2025 calendar year.

4 SVWW therefore petitions the Commission for a temporary exemption, which will allow the issuance of annual bills to customers at a later date. SVWW subsequently anticipates submitting revised tariff language, following the entry of the Commission’s order in UW-240589, to adjust tariff verbiage to allow for the Company to appropriately recover any rate adjustment on a prospective, prorated basis.

II. SPECIFIC RULE EXEMPTION REQUESTS

WAC 480-110-425(3)(b)

5 For purposes of this filing, SVWW requests that the Commission grant an exemption from the provisions of WAC 480-110-425(3)(b), which require 30-days’ notice when a water company proposes to “change terms and/or conditions of an existing service.”

6 The terms and conditions at issue are contained in Schedule 4 of the Company’s Tariff. In relevant part, the Tariff states: “Bills to be sent out April 1st each year. Payments are due April 30 for a one-time payment or, at the customer’s option, payments may be made on a semiannual basis with the first half due April 30th and the second half due July 31st.” The Company requests flexibility to issue bills for irrigation service later than April 1. Customers’ payment deadlines would be adjusted correspondingly.

WAC 480-80-102(5)(a)(v)

7 SVWW requests that the Commission also grant modification and/or exemption of WAC 480-80-102(5)(a)(v), which requires the rate schedule section of the Company’s tariff to describe “[a]ny special terms or conditions associated with the service or the calculation of rates to be paid for the service.”

III. ARGUMENT IN SUPPORT OF REQUESTED EXEMPTIONS

8 As shown in its Tariff WN U-1, SVWW has not received a rate adjustment for its schedule 1
base rates since 2006. It has not received a rate adjustment for its irrigation rates since 2019.

9 The Company is awaiting a crucial rate adjustment pursuant to its filing in UW-240589. When
the Company made its initial filing on July 31, 2024, nor when the Company settled this case
with staff on November 21, 2024, it did not reasonably anticipate that the proceeding would
continue through April 1, 2025, when annual irrigation bills are normally issued pursuant to
Schedule 4 of its Tariff.

10 The Company is now concerned that issuing irrigation bills on April 1, 2025 under these
circumstances will lock in a significant portion of the Company's revenue at existing rates.
Without the ability under its current tariff language to delay the issuance of the bill, or to prorate
for rate adjustments after the issuance of the initial annual bill, the Company would not receive
this vital increased revenue from its irrigation rates until more than a year from today, in April
2026, following another annual billing cycle. Delayed rate adjustments have already harmed the
Company's cash reserves and its ability to function as a stand-alone entity. Further delay of an
irrigation rate adjustment until 2026 would only worsen these harms.

11 The Company provided its customers notice of the underlying rate case filing in UW-240589.
The Commission held a public comment hearing on January 30, 2025, and allowed for written
customer comments. SVWW submits that this Petition reflects a narrow and modest change to
billing practices, and there is good cause for granting the Company a degree of regulatory
flexibility at this time.

12 If approved by the Commission, the Company would post notice on its website of this limited,
temporary modification to its irrigation billing and allow for monthly installment payments of
the charges if elected. As noted, after the Commission enters its Order in UW-240589, the
Company anticipates submitting revised tariff language for Staff's and the Commission's

consideration to provide for appropriate flexibility in future years and to prevent this issue from recurring.

IV. PRAYER FOR RELIEF

13 Wherefore, based on the preceding outline of the issues raised by this Petition for an Exemption from Rule, Summit View Water Works requests that the Commission grant exemptions and/or modifications of WAC 480-110-425(3)(b) and WAC 480-80-102(5)(a)(v).

DATED this 25th day of March, 2025.

Respectfully submitted,

s/ Michael S. Howard

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