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STATE OF WASH.  
UTIL. DIV.  
COMM. DIV.

Dec. 26, 1990

Mr. Paul Curl, Sec.

W. U. T. C.,

1300 So. Evergreen Park Drive SW,  
Olympia WA. 98504

Dear Mr Curl:

This is in response to Robert Harts Complaint  
NO. UW-901534 dated 12-10-90.

Sincerely

William T. Petty President  
Evergreen Land & Water Inc.  
Box 336  
Hoodsport WA 98548

Robert Hart VS Evergreen Land & Water Inc.  
Complaint #UW-901534

1. Complainant, Hoodspout market (Robert Hart) has refused to pay for the water service of respondent (Evergreen Land and Water). Since respondent has requested such payment in writing, the complainant is in violation of Company Tariff by authority of W.U.T.C. order No. 694. Evergreen Land and Water has filed this complaint seeking that the commission find that violations occurred and issue an order imposing payment.

2. This is in response to Mr. Robert Hart's allegations that no one consumes in any way or form, water, on the premises or in conjunction with the operation of the Hoodspout Market at, N24230 Highway 101, Hoodspout, after the date of May 1, 1990.

3. Mr. Hart's allegations of not using water would appear to be a total impossibility to any reasonable intelligent individual. This is one of the main points why rule 14 directly applies, "regardless of joint use, with other housekeeping establishment or business, will each be considered a customer."

4. Whereas Robert Hart and his staff at the Hoodspout market are fraudulently obtaining water or the use of water service in any form, that service may be subject to disconnection without any notice, as provided in WAC 480-110-071(L). But if there was no business or the building was vacated there would definitely be no usage of water nor would there be any billing, as required in WAC 480-110-071.

5. Termination of Service: There is no separation of service as Mr. Parks of U.T.C. well knows, because the one service connection valve, services the Hoodspout market, Robert Hart's residence and an additional residence on the beach, all service lines are on private property. Therefore it is impossible to terminate service to the market, there is no separate service, it is all together with his residence.

6. It would appear that Mr. Hart's, "removal of a sink", has only transferred the usage of water to joint use with his residence, or is a subterfuge to not have to pay for water used in the operation of the Hoodspout Market.

7. Here by the customer Robert Hart shall apply for a separate service connection for his residence. He shall be required to supply a separate pipe and fittings as required, and in full compliance with WAC 480-110-071(a, h, j) because he has refused to make proper payments as required in Rule 11 of the tariff.

8. Mr. Hart has taken upon his self, often, the privilege to turn off and on the only service valve the Utility has, with out notice or request of the Utility, to do who knows what to the service line, plumbing and ect... It appears that he has not installed proper valving as would be required by normal plumbing codes.

9. Therefore Evergreen Land and Water Inc., request that the Commission find Robert Hart has violated state statutes and Company tariff as stated above, and in addition has filed allegations that are bias and not truly or completely factual.

10. Evergreen Land and Water Inc. request that the commission order Robert Hart to bring current the past due billing of the Hoodspout Market in accordance of company tariff and state statutes.

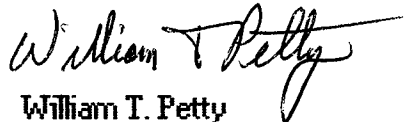
11. Evergreen Land and Water Inc., request that all proposed fines and penalties be rescinded and nullified because of the above stipulations.

12. Evergreen Land and Water Inc., request to know why and how someone at the Commission was permitted to prepare and write the Complaint for Mr. Hart, and if the same privledge is also available to us?

#### Verification

I, William T. Petty, dba, Evergreen Land and Water Inc., swear under penalties of perjury of the State of Washington that the contents of this complaint are true and correct to the best of my knowledge.

Dated: December 26, 1990

  
William T. Petty