

[Service Date April 26, 2011]

April 26, 2011

**NOTICE TERMINATING MEDIATION
(As of Tuesday, April 26, 2011, at 3:00 p.m.)**

RE: *Sil and Candy Arata, et al. v. Green Mountain H2O LLC*, Docket UW-102014

TO ALL PARTIES:

On December 16, 2010, Sil and Candy Arata, and others (Complainants) filed with the Washington Utilities and Transportation Commission (Commission) a formal complaint against Green Mountain H2O LLC (Green Mountain or Respondent). The Complainants are homeowners in Columbia Crest Estates and customers in Green Mountain's service area. The Respondent is a public service company operating a water system in Kalama, Washington (Cowlitz County). The Complainants allege the Respondent is providing improper and inadequate water service, and seek financial restitution. Respondent denies the allegations.

On March 2, 2011, the Washington Utilities and Transportation Commission (Commission) conducted a prehearing conference in the above matter before Administrative Law Judge Adam E. Torem. On March 4, 2011, the Commission entered Order 02 – Prehearing Conference Order. Order 02 states, among other things, that the parties agree to attempt resolution of this matter via mediation.

Administrative Law Judge Dennis J. Moss, acting as mediator in this matter, conducted a mediation session on Monday, April 18, 2011. The parties' did not reach an agreement by the conclusion of the session. The mediator scheduled a second session for Tuesday, April 26, 2011. Complainants and Respondent had additional communications following the first mediation session, including an exchange of e-mails, copies of which were provided to the mediator. On Tuesday, April 26, 2011, the parties exchanged offers and counteroffers with the mediator acting as an intermediary. On the basis of several individual discussions with the parties, it appears to the mediator that they are at an impasse.

NOTICE IS GIVEN That the mediation is terminated as of April 26, 2011. This matter is returned to the presiding Administrative Law Judge for such further scheduling and process as is appropriate considering the circumstances.

The mediator informed the parties that he remains available to facilitate further discussions between them, if they agree it might be useful to resume their efforts to settle this dispute.

Sincerely,

DENNIS J. MOSS
Mediator/Administrative Law Judge