

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

In the Matter of the Petition of)	DOCKET NO. UW-040825
)	
SOUTHGATE WATER)	ORDER NO. 01
COMPANY,)	
)	
Petitioner,)	
)	ORDER GRANTING
Seeking Exemption from the)	EXEMPTION FROM RULE;
Provisions of WAC 480-110-275(3))	GRANTING COMPANY
Relating to Filing of Annual)	ADDITIONAL TIME TO FILE
Reports by Water Companies)	ANNUAL REPORT
.....)	

BACKGROUND

1 On May 3, 2004, Southgate Water Company (Southgate or the Company) filed with the Commission a petition requesting an extension to file its annual report under the provisions of WAC 480-110-275(4). The petition requests Southgate Water Company be granted an extension of time to June 1, 2004, to file its 2003 annual report. According to the Company, it is unable to prepare its report because its engineer was unable to provide information to complete the water summary and customer count data. The Company seeks an extension until June 1, 2004.

2 Commission Staff reviewed the request and recommended granting Southgate's request for exemption, subject to Southgate filing its 2003 annual report no later than June 1, 2004.

FINDINGS AND CONCLUSIONS

3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, 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.*

- 4 (2) Southgate is a water company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) Southgate is subject to the provisions of RCW 80.04.080 and WAC 480-110-275, requiring water companies to file an annual report no later than May 1st of each year.
- 6 (4) WAC 480-110-215 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-110 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on May 12, 2004.
- 8 (6) After review of the petition filed in Docket UW-040825 by Southgate on May 3, 2004, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 9 (1) The exemption sought by Southgate Water Company for an extension until June 1, 2004, to file its 2003 annual report is granted.

- 10 (2) Failure by Southgate Water Company to file its 2003 annual report by June 1, 2004, may result in the Commission invoking provisions of Chapter 80.04 RCW that provide for penalty assessments.
- 11 (3) The Commission retains jurisdiction over the subject matter and Southgate Water Company to effectuate the provisions of this Order.

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 May, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary