

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

In the Matter of the Petition of	)	DOCKET UW-070811
	)	
KALA POINT UTILITY COMPANY,	)	ORDER 01
	)	
Petitioner,	)	
	)	ORDER GRANTING
Seeking Exemption from the	)	EXEMPTION FROM RULE;
Provisions of WAC 480-110-505	)	GRANTING COMPANY
Requiring Water Companies to File the	)	ADDITIONAL TIME TO FILE
2006 Annual Report by May 1, 2006	)	ANNUAL REPORT ORDER
.....	)	

**BACKGROUND**

- 1 On April 30, 2007, Kala Point Utility Company (Kala Point or Company) filed a petition requesting exemption from WAC 480-110-505 requiring water companies to file the 2006 Annual Report by May 1, 2006.
  
- 2 WAC 480-110-505 requires water companies to file an annual report no later than May 1 of each year.
  
- 3 Kala Point stated that due to scheduling conflicts, its accounting firm has been unable to complete the 2006 financial statements necessary to complete the annual report. The Company anticipates that it can file the annual report by May 15.
  
- 4 Commission Staff reviewed the request and recommended granting Kala Point's request for exemption, subject to the condition that the Company file its completed annual report no later than May 15, 2007.

**FINDINGS AND CONCLUSIONS**

- 5 (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, RCW 80.04, RCW 80.28, RCW 80.08 and RCW 80.12.*

- 6 (2) Kala Point is engaged in the business of providing water services within the state of Washington and is a public service company subject to the jurisdiction of the Commission under the provisions of RCW 80.28.
- 7 (3) Kala Point is subject to the provisions of WAC 480-110-505, requiring water companies file an annual report no later than May 1 of each year.
- 8 (4) WAC 480-110-215 provides that the Commission may grant an exemption from the provisions of any rule in WAC 480-110, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 9 (5) This matter was brought before the Commission at its regularly scheduled meeting on May 9, 2007.
- 10 (6) After review of the petition filed in Docket UW-070811 by Kala Point on April 30, 2007, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

**ORDER**

THE COMMISSION ORDERS:

- 11 (1) The exemption sought by Kala Point Utility Company for an extension until May 15, 2006, to file its 2006 annual report is granted.
- 12 (2) Failure by Kala Point Utility Company to file its 2006 annual report by May 15, 2007, may result in the Commission invoking provisions of RCW 80.04 that provide for penalty assessments.
- 13 (3) The Commission retains jurisdiction over the subject matter and Kala Point Utility 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 May 9, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary