

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

In the Matter of the Petition of)	DOCKET UW-110784
)	
FIRCROFT, INC.,)	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
2010 Annual Report by May 1, 2011)	ANNUAL REPORT
.....)	

BACKGROUND

- 1 On April 28, 2011, Fircroft, Inc. (Fircroft or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an extension of time to file its 2010 annual report pursuant to WAC 480-110-505. Fircroft states that it is unable to prepare the report because the Company’s accountant has not completed Federal Income Taxes for 2010 and needs that information to correctly submit the water utility annual report. Fircroft requests an extension of time until June 1, 2011.
- 2 Commission Staff reviewed the request and recommended granting Fircroft’s request for exemption, subject to the condition that the Company file its completed report by June 1, 2011.

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 the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including water companies. *RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.*
- 4 (2) Fircroft is a water company and a public service company subject to Commission jurisdiction.

- 5 (3) Fircroft is subject to WAC 480-110-505, which requires water companies to file an annual report by May 1 of each year.
- 6 (4) Under WAC 480-110-215, 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. *See also WAC 480-07-110.* In addition, under WAC 480-110-505(4), the Commission may grant an extension of time allowing the Company to file its annual report after the May 1 due date if the Commission receives a request for extension before May 1.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on May 12, 2011.
- 8 (6) After review of the petition filed in Docket UW-110784 by Fircroft on April 28, 2011, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

ORDER

THE COMMISSION ORDERS:

- 9 (1) The request by Fircroft, Inc., for an exemption from WAC 480-110-505 and for an extension until June 1, 2011, to file its 2010 annual report is granted.
- 10 (2) Failure by Fircroft, Inc., to file its 2010 annual report by June 1, 2011, may result in the Commission invoking RCW 80.04.405, which allows the Commission to assess penalties for violations of statute, rule and Commission orders.
- 11 (3) The Commission retains jurisdiction over the subject matter and Fircroft, Inc., 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 12, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary