

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

In the Matter of the Petition of	)	DOCKET UW-110832
	)	
GREEN MOUNTAIN H2O,	)	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 30, 2011, Green Mountain H2O (Green Mountain H2O 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. Green Mountain H2O states that it is unable to prepare the report because the accounting firm retained by the Company cannot complete the necessary work in time to meet the May 1, 2011, deadline. Green Mountain H2O requests an extension of time until June 29, 2011.
- 2     Commission Staff reviewed the request and recommended granting Green Mountain H2O’s request for exemption, subject to the condition that the Company files its completed report by June 29, 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)    Green Mountain H2O is a water company and a public service company subject to Commission jurisdiction.

- 5 (3) Green Mountain H2O 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 26, 2011.
- 8 (6) After review of the petition filed in Docket UW-110832 by Green Mountain H2O on April 30, 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 Green Mountain H2O for an exemption from WAC 480-110-505 and for an extension until June 29, 2011, to file its 2010 annual report is granted.
- 10 (2) Failure by Green Mountain H2O to file its 2010 annual report by June 29, 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 Green Mountain H2O 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 26, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary