

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

WASHINGTON UTILITIES AND)	DOCKET UW-040651
TRANSPORTATION COMMISSION,)	
)	ORDER 01
Complainant,)	
)	
v.)	PREHEARING CONFERENCE
)	ORDER;
CANTERWOOD WATER)	
COMPANY,)	NOTICE OF HEARING
Respondent.)	(Set for August 15, 2006)
)	
.....)	

1 **NATURE OF PROCEEDING.** Docket UW-040651 involves the filing of a tariff regarding the rates and charges of Canterwood Water Company (the Company). The Commission suspended the proposed tariff and directed that the proposal be set for hearing.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on April 27, 2006, before Administrative Law Judge C. Robert Wallis upon notice to all interested parties.

3 **APPEARANCES.** Richard A. Finnigan, attorney, Olympia, Washington, appeared for the Company”). Michael A. Fassio, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (“Commission Staff” or “Staff”).¹

¹ In formal proceedings, such as this case, the Commission’s regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an “*ex parte* wall” separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners’ policy and accounting advisors from all parties, including advocacy Staff. *RCW 34.05.455*.

4 **PETITIONS FOR INTERVENTION.** No person appeared seeking intervention in this docket.

5 **DISCOVERY.** The parties asked that the discovery rules be invoked, under WAC 480-07-400. The matter is one that qualifies for discovery, and the discovery rules, WAC 480-07-400 through 425, are invoked.

6 **PROTECTIVE ORDER.** We will enter a standard form protective order in this docket at the request of the parties.

7 **PROCEDURAL SCHEDULE.** The parties asked that evidentiary filings be delayed to allow time for settlement discussions. The proposed schedule does so, but does not establish the time for one or more settlement conferences. Only two parties are involved, so there is no need for notice to others. If parties need assistance in setting conferences, we will assist in making arrangements.

8 The Commission adopts the following procedural schedule (all dates are 2006 except as noted):

Initial testimony from the Company	June 30
Answering testimony from staff	July 17
Rebuttal evidence	July 31
Hearing	August 15
Simultaneous initial briefs	September 12
Simultaneous answering briefs, if needed	September 19
Suspension date	February 27, 2007

- 9 **NOTICE OF HEARING:** Hearing in this matter is set for August 15, 2006, beginning at 9:30 a.m. in the hearing room, Room 206, in the Commission's headquarters office, 1300 South Evergreen Park Drive SW, Olympia, Washington.
- 10 **SERVICE AND COMMUNICATION AMONG PARTIES AND WITH BENCH.** Parties must include the administrative law judge and advisory staff when providing electronic copies of filed materials to the Commission and other parties. Failure to do so may cause delays and could render the filing insufficient. **Please note:** merely filing via the Commission's web portal is **not** sufficient to satisfy this requirement. E-mail contact information for the advisory staff is included in Appendix B.
- 11 **FORMAT OF ELECTRONIC DOCUMENTS.** Parties must include an electronic file of each document in Word or Excel, as appropriate, unless such a file is not available and cannot be reasonably created (an extensive passage from a printed document not created by the parties, for example). Excel files must include and enable all entries and formulas necessary to produce the result shown on the printed version. Parties should take care to delete metadata not needed for hearing purposes, such as identities of authors and editing trails.
- 12 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **seven** copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform with the format and publication guidelines set forth in WAC 480-07-395 and 480-07-460, and must be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.
- 13 Parties must also file **one** copy of a complete redacted version of any document containing confidential information, plus the required electronic versions of the redacted text. Each redacted document must be plainly labeled as such on its cover sheet, first page, and media.

- 14 All filings must be mailed to the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or delivered (by hand or courier) to the Commission's Records Center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 15 Parties must provide an electronic copy of all filings by web portal or e-mail delivery to <records@wutc.wa.gov>. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette including the filed document(s). Parties must furnish an electronic file in MS Word or MS Excel, supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must organize and identify electronic files as specified in WAC 480-07-140(5).
- 16 **ELECTRONIC FILING.** Parties may only file documents electronically with the Commission in this proceeding with the permission of the administrative law judge. Under WAC 480-07-145(6), electronic filing of documents provides a one-day extension of the paper-filing requirement. If, at any time during this proceeding, parties are authorized to file documents with the Commission electronically under WAC 480-07-145(6), Parties must submit the document to records@wutc.wa.gov, and file an original, plus **seven** copies, of the document with the Commission by the following business day. Parties must also file the required redacted version of any confidential document.
- 17 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1142.

18 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective May 1, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

C. ROBERT WALLIS
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET UW-040651**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Canterwood Water Company	Richard A. Finnigan 2112 Black Lake Boulevard Olympia WA 98512	(360) 956-7001	(360) 753-6862	rickfinn@localaccess.com
Commission Staff	Michael A. Fassio Assistant Attorney General 1400 S. Evergreen Pk. Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	(360) 664-1192	(360) 586-5522	mfassio@wutc.wa.gov

APPENDIX B

**COMMISSION ADVISORY STAFF
DOCKET UW-040651**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
ALJ	C. Robert Wallis	(360) 664-1142	(360) 664-2654	bwallis@wutc.wa.gov
POLICY	Lisa Steel		(360) 664-3604	lsteel@wutc.wa.gov

**APPENDIX C
PROCEDURAL SCHEDULE
DOCKET UW-040651**

EVENT	DATE	INTERVAL
Initial testimony from the Company	June 30	days
Answering testimony from staff	July 17	17 days
Rebuttal evidence	July 31	14 days
Hearing	August 15	15 days
Simultaneous initial briefs	September 12	28 days
Simultaneous answering briefs, if needed	September 19	7 days
Suspension date	February 27, 2007	161 days