

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

WASHINGTON UTILITIES AND)	DOCKET NO. UW-051334
TRANSPORTATION)	
COMMISSION,)	ORDER NO. 01
)	
Complainant,)	
)	
v.)	
)	
RAINIER VIEW WATER)	
COMPANY, INC.,)	
)	COMPLAINT AND ORDER
Respondent.)	SUSPENDING CONTRACT
.....)	

BACKGROUND

- 1 On August 28, 2005, Rainier View Water Company, Inc., (Rainier View) filed with the Commission a contract proposing to provide irrigation service to Silver Pointe Condo Association (Silver Pointe), at Northeast of 18401 101st Avenue East, Puyallup Washington. The stated effective date is September 28, 2005.
- 2 The proposed agreement provides a forfeiture of all rights related to Silver Pointe’s meter connection including any water capacity associated with the connection, if Silver Pointe requests temporary disconnection. In addition, the agreement requires Silver Pointe to adopt a standard for the use of Rainier View Water’s irrigation service that is inadequately defined in the agreement as the “best practices approach.”
- 3 The contract provides terms and conditions and imposes obligations that may injuriously affect the rights and interests of Silver Pointe and may not be consistent with the public interest.

FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, 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
- 5 (2) Rainier View is a water company and is a public service company subject to the jurisdiction of the Commission.
- 6 (3) This matter was brought before the Commission at its regularly scheduled meeting on September 28, 2005.
- 7 (4) The contract filed by Rainier View on August 28, 2005, might injuriously affect the rights and interest of Silver Pointe and may not be consistent with the public interest.
- 8 (5) As provided for in RCW 80.28.060 the Commission may suspend the effective date of the contract within thirty days or before its stated effective date for good cause.
- 9 (6) In order to carry out the duties imposed upon the Commission by law, and as authorized in RCW 80.20.20, the Commission believes it necessary to investigate Rainier View's books, accounts, practices and activities; to make a valuation or appraisal of Rainier View's property; and to investigate and appraise various phases of Silver Pointe's operations. Rainier View may be required to pay the expenses reasonably attributable and allocable to such

an investigation to the extent the requirements for such payment are in accordance with the provisions of chapter 80.20 RCW.

ORDER

THE COMMISSION ORDERS:

- 10 (1) The contract filed on August 28, 2005, is suspended.
- 11 (2) The Commission will hold hearings at such times and places as may be required.
- 12 (3) Rainier View Water Company, Inc., must not change or alter the contract filed in this docket during the suspension period, unless authorized by the Commission.
- 13 (4) The Commission will institute an investigation of Rainier View Water Company, Inc.'s books, accounts, practices, activities, property and operations as described above.
- 14 (5) Rainier View Water Company, Inc., may pay the expenses reasonably attributable and allocable to the Commission's investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 80.20 RCW.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

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DATED at Olympia, Washington, and effective this 28th day of September, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary