

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Removal from	)	DOCKET UW-131238
Commission Regulation of	)	
	)	ORDER 01
APEX WATER SUPPLY, INC.,	)	
	)	
	)	ORDER REMOVING COMPANY
	)	FROM REGULATION; CANCELING
Requesting Removal from	)	TARIFF AFTER TRANSFER TO
Commission Regulation	)	WATER DISTRICT
.....	)	

**BACKGROUND**

- 1     On August 1, 2011, Silverdale Water District of Silverdale, Kitsap County, purchased the assets and took over operation and ownership of the Apex Water Supply, Inc. (Apex). On June 25, 2013, Apex filed notice for the transfer of ownership of the water system assets owned by Apex to Silverdale Water District. Apex seeks to remove itself from regulation and to cancel its tariff. The water company provides water service to approximately 145 residential customers near Silverdale, in Kitsap County.
- 2     As a result of a Staff investigation, the Washington Utilities and Transportation Commission (Commission) finds that Apex no longer provides regulated water service. The Commission may remove a water company from regulation under RCW 80.04.010. A water company cannot be removed from regulation without the Commission’s approval. Removing Apex from regulation will be consistent with the public interest, because the water system is now operated and owned by Silverdale Water District, which is not subject to Commission jurisdiction.

**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)    Apex is an investor-owned water company and a public service company subject to Commission jurisdiction.

- 5 (3) The transfer of assets of Apex to Silverdale Water District is exempt from Commission regulation under RCW 80.12.020 and RCW 36.96.010 and is not subject to Commission jurisdiction.
- 6 (4) This matter came before the Commission at its regularly scheduled meeting on September 12, 2013.
- 7 (5) After reviewing the information gathered in the investigation, and giving due consideration, the Commission finds it in the public interest to grant Apex's request for removal from regulation and to cancel the corresponding tariff.

**ORDER**

**THE COMMISSION ORDERS:**

- 8 (1) Apex Water Supply, Inc. is no longer subject to Commission jurisdiction under RCW 80.04.110.
- 9 (2) Apex Water Supply, Inc. is removed from regulation by this Commission and its current tariff WN U-1 is canceled as of the effective date 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 September 12, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary