

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Removal from) DOCKET UW-151639
Commission Regulation of:)
) ORDER 01

FRAGARIA LANDING WATER)
COMPANY; LOWPER,) ORDER REMOVING COMPANIES
INCORPORATED DBA LOWPER) FROM REGULATION AND
WATER COMPANY; MARBELLO) CANCELLING TARIFFS AFTER
WATER CO., INC. AND SJM) SALE AND TRANSFER OF STOCK
WATER SERVICE, INC.) AND MERGER
)
Requesting cancellation of Tariffs)
.....)

BACKGROUND

- 1 On August 7, 2015, Fragaria Landing Water Company (Fragaria); Lowper, Incorporated dba Lowper Water Company (Lowper); Marbello Water Co., Inc. (Marbello); and SJM Water Service, Inc. (SJM) located in Snohomish County, (collectively “Companies”) filed to be removed from the list of regulated companies and that their respective tariffs be cancelled. On July 30, 2015, in Docket UW-150688, the Washington Utilities and Transportation Commission (Commission) approved the sale and transfer of stock and merger of Companies into Iliad Water Service, Inc. (Iliad), a regulated water company.
- 2 On August 3, 2015 in Docket 150688, and again on August 7, 2015, in this docket, the Commission received notice that Fragaria, Lowper, Marbello and SJM had been merged into Iliad, consistent with Order 01 in Docket UW-150688, and that Iliad had filed the applicable tariff sheets adopting the Companies tariffs as its own. Iliad now seeks to cancel the corresponding Companies’ tariffs.
- 3 A staff investigation confirmed Fragaria, Lowper, Marbello and SJM no longer exist as separate legal entities. Each water company has been transferred and merged into Iliad, each system remaining subject to Commission jurisdiction through Iliad.

4 The table below shows the pre-merger companies and respective water systems and the surviving company, Iliad and its respective pre-merger water systems.

Company – System	DOH ID#	Customer Count	Location	County
Fragaria				
<i>Fragaria Landing</i>	266519	85	Port Orchard	Kitsap
<i>Hunt I & II</i>	00567T	24	Port Orchard	Kitsap
Lowper	019595	7	Sequim	Clallam
Marbello	51530M	98	Monroe	Snohomish
SJM				
<i>Cherry Creek</i>	23101W	54	Duvall	Snohomish
Iliad Water Services				
<i>Alder Lake</i>	221957	35	Eatonville	Pierce
<i>Cascade Creek</i>	31203Y	46	Lake Stevens	Snohomish

FINDINGS AND CONCLUSIONS

5 (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, and 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.

6 (2) Fragaria, Lowper, Marbello and SJM were investor-owned water companies and public service companies subject to Commission jurisdiction. The stock of each were sold, transferred and merged into Iliad, also an investor-owned water company and public service company subject to Commission jurisdiction..

7 (3) The Commission approved the sale and transfer of the stock and merger of Fragaria, Lowper, Marbello and SJM into Iliad in Docket UW-150688 on July 31, 2015.

8 (4) Fragaria, Lowper, Marbello and SJM merged into, and are now a part of, Iliad.

9 (5) Iliad is the only surviving entity of the merger.

10 (4) The tariffs of Fragaria, Lowper, Marbello and SJM are adopted and combined with Iliad’s effective tariff in compliance with Order 01 in Docket UW-150688.

- 11 (4) This matter came before the Commission at its regularly scheduled meeting on August 27, 2015.
- 12 (5) After reviewing the information gathered in the Staff's investigation, and giving due consideration, the Commission finds it in the public interest to remove from regulation and cancel the tariffs of Fragaria, Lowper, Marbello and SJM.

ORDER

THE COMMISSION ORDERS:

- 13 (1) Fragaria Landing Water Company; Lowper, Incorporated dba Lowper Water Company; Marbello Water Co., Inc. and SJM Water Service, Inc. are no longer subject to Commission jurisdiction under RCW 80.04.110.
- 14 (2) Fragaria Landing Water Company; Lowper, Incorporated dba Lowper Water Company; Marbello Water Co., Inc. and SJM Water Service, Inc., are removed from regulation by this Commission and each current tariff for each company, WN U-1, is canceled as of the effective date of this Order.
- 15 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 August 27, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary