

SERVICE DATE

MAY 1 2 1995

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARINE VIEW HEIGHTS)	
HOMEOWNERS' ASSOCIATION,)	
)	DOCKET NO. UW-940325
Complainant,)	
)	
vs.)	ORDER INSTITUTING
)	INVESTIGATION AND
)	NOTICE OF HEARING
MARINE VIEW HEIGHTS)	(June 8, 1995)
INCORPORATION,)	
)	
Respondent.)	
_____)

By the Commission's Order Affirming and Adopting Initial Order Granting Complaint in Part and Denying and Dismissing Complaint in Part in this docket, the Commission stated it would schedule in approximately 60 days a hearing to review the company's compliance with it's order.

Marine View Heights Incorporation will have had approximately 60 days to address these issues and to make the numerous improvements ordered by the Commission.

ORDER

WHEREFORE, The Commission hereby enters upon a full and complete investigation of the matters hereinafter described and will enter upon public hearings for the following purposes:

1. To ascertain and determine whether the company has notified customers of any contaminant level violations, acute or non-acute, and whether the company has been and will continue to send copies of all water quality test reports, whether showing violations or not, to the Commission for a period of one year from March 22, 1995, the date of the Commission's order.
2. To ascertain and determine whether the company has developed and presented to the Department of Health its plans for a chlorinator.

3. To ascertain and determine whether the company has posted a conspicuous sign at it's business office indicating that it is indeed its business office.

4. To ascertain and determine whether the company has improved its responsiveness to customer contacts by returning telephone calls from customers within 24 hours and by responding to correspondence from customers within five business days of receipt.

5. To ascertain and determine whether the company has employed and continues to employ a certified water operator.

6. To ascertain and determine whether the company has filed with the Commission any and all petitions necessary for approval of the transfer of ownership from James J. Sahli to Fred Barker, Jr., and which reflect the true ownership of the Marine View Heights water system.

7. To ascertain and determine whether the company has provided the Commission with a customer billing summary for the six months immediately prior to March 22, 1995, showing each customer's name, date and amount billed, date and amount paid, and any action taken on each delinquent or past due account.

8. To ascertain and determine whether the company has complied with the Commission's Order Affirming and Adopting Initial Order Granting Complaint in Part and Denying and Dismissing Complaint in Part in this docket, dated March 22, 1995.

9. To make and enter such other determinations and orders as may be just and reasonable.

NOTICE OF HEARING

This investigation is initiated by the Commission to determine whether the company has complied with the Commission's Order of March 22, 1995, in this docket.

Hearings to be held herein are being held pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW 34.05.413, RCW 34.05.434, RCW 34.05.449, RCW 34.05.452, and RCW 80.01.040. Statutes involved, in addition to those previously cited, include those

within chapter 80.04 and chapter 80.28 relating to rates and practices, including but not limited to RCW 80.04.090, RCW 80.28.010, RCW 80.28.030, RCW 80.28.040, RCW 80.28.100, and RCW 80.28.130 . Rules involved include those within chapter 480-09 WAC and 480-110 WAC.

The ultimate issue involved is whether the company has complied with the Commission's order in this docket dated March 22, 1995. Additional issues include whether such compliance or lack thereof should result in further recommendations or action by the Commission.

Please see the form attached to this notice which should be filled out and returned if any party or witness needs an interpreter or other assistance.

NOTICE IS HEREBY GIVEN That a hearing herein will be held at the hour of 9:30 a.m., Thursday, June 8, 1995, in Conference Rooms A and B, Department of Social & Health Services, 1620 S. Pioneer Way, Moses Lake, Washington. Petitions to intervene should be made in writing prior to that date or made orally at that time.

NOTICE IS FURTHER GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE HEARING SET HEREIN, OR OTHER STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN ACCORDANCE WITH THE TERMS OF RCW 34.05.440.

The names and mailing addresses of all parties and their known representative are as follows:

Complainant: Jim Gregg
President, Board of Directors
Marine View Heights Homeowners Association
8480 Aurora
Othello, WA 99344

Representative: Marian Snelson
8453 Highland Drive SE
Othello, WA 99344

Respondent: James J. Sahli
Marine View Heights Incorporated
6794 Canal Street
Othello, WA 99344

Fred J. Barker, Jr.
Marine View Heights Incorporated
P. O. Box 1745
Moses Lake, WA 98837

-or-

Fred Barker, Jr.
Marine View Heights Incorporated
6897 SR 262 SE
Othello, WA 99344

Representative: Unknown

Commission: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive SW
P. O. Box 47250
Olympia, WA 98504-7250

Representative: Ann E. Rendahl
Assistant Attorney General
1400 S. Evergreen Park Drive SW
P. O. Box 40128
Olympia, WA 98504-0128
(360) 753-6443

An Administrative Law Judge from the Utilities and Transportation Subdivision of the Office of Administrative Hearings, Third Floor, Building E, 2420 Bristol Court SW, P. O. Box 42489, Olympia, Washington 98504-2489, (360) 753-6403, will be designated to preside at the hearings.

DATED at Olympia, Washington, and effective this 12th day of May, 1995.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



SHARON L. NELSON, Chairman



RICHARD HEMSTAD, Commissioner

Inquiries may be addressed to:

The Secretary
Washington Utilities and
Transportation Commission
Chandler Plaza Building
1300 S. Evergreen Park Drive SW
P O BOX 47250
OLYMPIA WA 98504-7250
(360) 753-6423

NOTICE

PLEASE BE ADVISED that the hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and that if limited English-speaking or hearing impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be designated below and returned to Washington Utilities and Transportation Commission, Attention: Steve McLellan, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (SUPPLY ALL REQUESTED INFORMATION)

Docket No.: _____

Case Name: _____

Your Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: () _____