

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

In the Matter of the Petition of)	DOCKET UW-060694
)	
Kala Point Utility Company,)	ORDER 01
)	
Petitioner,)	
)	
Seeking Exemption from the)	
Provisions of WAC 480-110-505(3))	
Relating to Filing of Annual Reports)	ORDER DISMISSING PETITION
by Water Companies.)	FOR EXEMPTION FROM RULE
.....)	

BACKGROUND

- 1 On May 1, 2006, Kala Point Utility Company, (Kala Point Utility or the Company) filed with the Commission a petition requesting an extension of time to file its annual report under the provisions of WAC 480-110-505(4). The petition requests Kala Point Utility, be granted an extension of time to file its 2005 annual report until May 15, 2006; however, the report was not filed within the requested period.
- 2 Commission Staff reviewed the request and recommended dismissing Kala Point Utility’s’ request for an extension of time to file its 2005 annual report.

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 rates, rules, 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.*
- 4 (2) Kala Point Utility is a water company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) Kala Point Utility is subject to the provisions of RCW 80.04.080 and WAC 480-110-505(3), requiring water companies to file an annual report no later than May 1st of each year.

- 6 (4) WAC 480-110-215 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-110 WAC in the same manner and consistent with the standards and according to the procedures set forth in WAC 480-07-110. WAC 480-110-505(4) provides that a written request for the extension of the time for filing the annual report can be made prior to May 1.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on May 31, 2006.
- 8 (6) After review of the petition filed in Docket UW-060694 by Kala Point Utility on May 1, 2006, and giving due consideration, the Commission finds that the petition is moot and should be dismissed.

ORDER

THE COMMISSION ORDERS:

- 9 (1) The exemption sought by Kala Point Utility Company for an extension of time to file its 2005 annual report is dismissed.
- 10 (2) The failure of Kala Point Utility Company to file its 2005 annual report by May 1, 2006, may result in the Commission invoking provisions of Chapter 80.04 RCW that provide for penalty assessments.
- 11 (3) The Commission retains jurisdiction over Kala Point Utility Company and the subject matter to effectuate the provisions 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 May 31, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary