

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

WASHINGTON UTILITIES AND)	DOCKET UW-091050
TRANSPORTATION)	
COMMISSION,)	ORDER 01
)	
Complainant,)	
)	
v.)	
)	
BURTON WATER COMPANY,)	
INC.,)	
)	COMPLAINT AND ORDER
Respondent.)	SUSPENDING TARIFF REVISIONS
.....)	

BACKGROUND

- 1 On June 30, 2009, Burton Water Company, Inc., (Burton or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-2, designated as First Revised Sheet No. 2 Cancelling Original Sheet No. 2, First Revised Sheet No. 13 Cancelling Original Sheet No. 13, Original Sheet No. 13.1, Original Sheet No. 16, Original Sheet No. 17, Original Sheet No. 26, Original Sheet No. 27, Original Sheet No. 28, and Second Revised Sheet No. 40 Cancelling First Revised Sheet No. 40. The stated effective date is August 1, 2009. The filing proposes to increase the Reconnection, Account Set-up, NSF Check, and Water Availability charges; adds new charges for Cross Connection Site Visit, Cross Connection Inspection, and Unauthorized Meter Lock Removal; clarifies rules related to irrigation; and, adds language on Limitation of Liability, Unauthorized Use of Service and Cross Connection Control. The Company serves about 415 customers on Vashon Island in King County.
- 2 Burton has not determined the amount of increase in annual revenue as a result of the proposed fees on ancillary services. Because the proposed increases might injuriously affect the rights and interests of the public and Burton has not demonstrated that the increases would result in rates that are fair, just, reasonable and sufficient, the Commission suspends the tariff filing and will hold public hearings, if necessary, to determine whether the proposed increases are fair, just, reasonable and sufficient.

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, 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) Burton is a water company and a public service company subject to Commission jurisdiction.
- 5 (3) This matter came before the Commission at its regularly scheduled meeting on July 30, 2009.
- 6 (4) The tariff revisions Burton filed on June 30, 2009, would increase charges and rates for service provided by Burton, and might injuriously affect the rights and interest of the public.
- 7 (5) Burton has not yet demonstrated that the tariff revisions would result in rates that are fair, just, reasonable and sufficient.
- 8 (6) In order to carry out the duties imposed upon the Commission by law, and as authorized in RCW 80.04.130, the Commission believes it is necessary to investigate Burton's books, accounts, practices and activities; to make a valuation or appraisal of Burton's property; and to investigate and appraise various phases of Burton's operations.
- 9 (7) As required by RCW 80.04.130(4), Burton bears the burden of proof to show that the proposed increases are fair, just, reasonable and sufficient.
- 10 (8) Burton may be required to pay the expenses reasonably attributable and allocable to such an investigation, consistent with RCW 80.20.

O R D E R

THE COMMISSION ORDERS:

- 11 (1) The tariff revisions Burton Water Company, Inc., filed on June 30, 2009, are
suspended.
- 12 (2) The Commission will hold hearings at such times and places as may be required.
- 13 (3) Burton Water Company, Inc., must not change or alter the tariffs filed in this
docket during the suspension period, unless authorized by the Commission.
- 14 (4) The Commission will institute an investigation of Burton Water Company, Inc.'s
books, accounts, practices, activities, property and operations as described above.
- 15 (5) Burton Water Company, Inc., shall pay the expenses reasonably attributable and
allocable to the Commission's investigation, consistent with RCW 80.20.

DATED at Olympia, Washington, and effective July 30, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner