

April 3, 2007

Carole J. Washburn, Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

Re: *W.U.T.C. v. Fragaria Landing Water Co.*
Docket No. UW-060662

Dear Ms. Washburn:

This letter is to notify the Commission that Staff hereby waives its right to seek administrative review of the initial order, Order 07. Staff requests that the Commission make final the initial order as soon as practicable.

Additionally, Staff wishes to note that the initial order appears on its face to require that the company file required revised and initial tariff sheets within ten days following the date of the initial order (April 9).¹ This deadline would occur during the current period for parties to seek administrative review, before a potential exercise of discretionary review, and before the order is final. Based on Staff's understanding of the Settlement Agreement, in which the parties agreed that the filings shall be made "within 10 days following the date of Commission approval of the settlement,"² Staff believes that, by the Settlement's terms, filing would be appropriate within ten days following the date the order becomes effective (or final) as a matter of law.

Staff has notified Fragaria's counsel of its intent to waive review, but files this letter solely on its own behalf at this time, as Staff understands counsel is out of the office and unavailable this week. Thank you for your consideration.

Sincerely,

Michael A. Fassio
Assistant Attorney General

MAF:emd
cc: Parties

¹ Initial Order at Paragraph 29.

² Settlement Agreement at 4: Paragraph 3.10, at 5: Paragraph 3.11.