

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

In the Matter of the Request of	)	DOCKET UW-080173
	)	
WASHINGTON WATER SERVICE	)	ORDER 01
COMPANY,	)	
	)	
Petitioner,	)	
	)	ORDER GRANTING LESS THAN
For Less Than Statutory Notice in	)	STATUTORY NOTICE; ALLOWING
Connection with Tariff Revision	)	TARIFF REVISION
.....	)	

**BACKGROUND**

- 1     On January 29, 2008, Washington Water Service Company (Washington Water Service or Company), filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-1, designated as First Revision of No. 32.1 cancelling Original Sheet No. 32.1. A recent annexation by the City of Tumwater imposes a six percent utility tax on city residents, including customers of the Israel Place and Summerhill water systems owned by Washington Water Service. This filing would allow the Company to assess the utility tax on customers affected by the annexation and utility tax.
  
- 2     RCW 80.28.060 and WAC 480-80-121 require thirty days notice to customers prior to the effective date of the tariff. The tariff sheet bears an effective date of March 1, 2008. This date recognizes statutory notice as required. The Company requests, however, less than statutory notice as permitted by WAC 480-80-122, and that the revision become effective February 23, 2008. Washington Water Service requests less than statutory notice because the City of Tumwater will implement the utility tax on water sales effective February 23, 2008.
  
- 3     WAC 480-110-425 requires customers must receive notice thirty days prior to the requested effective date when a water company proposes an increase. Granting Washington Water Service's less than statutory notice request also requires an exemption from WAC 480-110-425. For the same reason Washington Water Service identified for seeking less than statutory notice, the Company seeks an exemption from the customer notice requirements. Washington Water Service notified customers by mail on January 29, 2008.

4 Effective February 23, 2008, the City of Tumwater will impose a six percent utility tax on Washington Water Service for water sold to residents of Tumwater. To allow the Company to recover its cost and not unduly burden other customers, Washington Water Service requests this tariff become effective on the same day that the City of Tumwater annexation and utility tax become effective.

5 Since the proposed tariff revision appears to be fair, just, reasonable and sufficient, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant Washington Water Service's request with an effective date of February 23, 2008.

### FINDINGS AND CONCLUSIONS

6 (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, 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.*

7 (2) Washington Water Service is a water company and a public service company subject to Commission jurisdiction.

8 (3) Washington Water Service is subject to RCW 80.28.060 and WAC 480-80-121, which require water companies to file changes in any rate or charge with thirty days notice. For good cause shown, however, the Commission may allow changes without requiring thirty days notice by order specifying the changes to be made and the time when it shall take effect. *RCW 80.28.060 and WAC 480-80-122.*

9 (4) Under WAC 480-110-215, the Commission may grant an exemption from the provisions of any rule in WAC 480-110, if consistent with the public interest, the purposes underlying regulation and applicable statutes. *See also WAC 480-07-110.*

10 (5) Staff has reviewed Washington Water Service's request in Docket UW-080173 and recommends the Commission grant the Company's request for less than

statutory notice. Staff further recommends the Commission grant an exemption from WAC 480-110-425. Washington Water Service notified customers by mail on January 29, 2008.

- 11 (6) This matter came before the Commission at its regularly scheduled meeting on February 14, 2008.
- 12 (7) After reviewing Washington Water Service's proposed tariff revision filed on January 29, 2008, and giving due consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revision should become effective February 23, 2008.
- 13 (8) The Commission also finds Washington Water Service should be granted an exemption from the customer notice requirements in WAC 480-110-425.

**ORDER**

**THE COMMISSION ORDERS:**

- 14 (1) Washington Water Service Company's request for less than statutory notice is granted.
- 15 (2) After the effective date of this Order, Washington Water Service Company is granted an exemption from WAC 480-110-425, which requires a thirty-day notice to customers of proposed changes to increase charges or rates. Washington Water Service Company notified customers by mail on January 29, 2008.
- 16 (3) The tariff revision Washington Water Service Company filed on January 29, 2008, will be effective on February 23, 2008.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective February 14, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary