

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT UW-110213

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

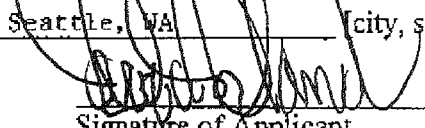
I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

- 1. **Payment of penalty.** I admit that the violation occurred and enclose \$10,500 in payment of the penalty.
- 2. **Request for a hearing.** I believe that the alleged violation did not occur, based on the following information, and request a hearing for a decision by an administrative law judge: We have not received a list of the violations to respond. On February 24, 2010 we informed the WUTC that Clallam County PUD would be taking over the Lower Water System, letter attached.
- 3. **Application for mitigation.** I admit the violation, but I believe that the penalty should be reduced for the reason(s) set out below, and
 - a) I ask for a hearing for a decision by an administrative law judge
 - OR b) I waive a hearing and ask for an administrative decision on the information I present directly above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 02/16/2011 [month/day/year], at Seattle, WA [city, state]

Lower Water System
Name of Respondent (company) – please print


Signature of Applicant

 RCW 9A.72.020:
 "Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony."

2011 FEB 23 AM 9:55

LOWPER WATER COMPANY
PO BOX 20429
SEATTLE, WA 98102
(800) 928-3750

February 24, 2010

WUTC
PO Box 47250
Olympia, WA 98504-7250

VIA EMAIL
MAIL

Attn: Jim Ward

Re: Status of Lowper Water System Sale, Clallam County

Dear Mr. Ward:

Sorry for the delay to your request for information on the above system. We have been waiting for Clallam County PUD's response to their option to purchase the Lowper Water System.

Last week they called and want to exercise their option per agreement.

Once the paperwork is prepared and approved Clallam County PUD will be operating the Lowper Water System. Mr. Finnigan will be representing our legal work.

If you have any questions, please call me at (206) 282-4200.

Sincerely,

David Dorland^{SD}

Cc: Mr. Finnigan