

SERVICE DATE

MAY 16 1991

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ROBERT A. HART, )  
 )  
 Complainant, )  
 )  
 vs. )  
 )  
 EVERGREEN LAND AND WATER, INC.)  
 )  
 )  
 Respondent. )  
 . . . . . )

DOCKET NO. UW-901534  
 NOTICE OF HEARING  
 (June 7, 1991)

The above-entitled matter, which is in the nature of a complaint against Evergreen Land and Water, Inc., was filed on December 11, 1990. Respondent filed its answer on December 27, 1990. The pleadings indicate a dispute exists between the complainant and respondent relating to an alleged request for termination of water service to the Hoodsport Market, Hoodsport, Washington.

A more detailed account of the dispute is reflected in the foregoing pleadings, which are available for inspection at the Commission's office, Chandler Plaza Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington. The issue having been joined, it is appropriate that the matters raised in the pleadings be brought on for hearing before the Commission.

The hearing hereinafter set is being held pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW 34.05.413, 34.05.440, 34.05.449, and 34.05.452. The Commission has jurisdiction over this matter pursuant to Title 80 RCW under which it regulates the rates, services, and practices of water companies providing service within the state of Washington. Statutes and rules cited by the respective parties include RCW 80.04.110, 80.04.120, 80.04.380, 80.04.385, and 80.04.405 and WAC 480-110-071. In addition to the foregoing, statutes involved are those within chapters 80.04 and 80.28 RCW, including but not limited to RCW 80.04.220, 80.04.230, 80.04.240, 80.04.380, and 80.04.450, as well as those within chapter 80.28 RCW relating to the charges and practices of water companies. Rules involved include WAC 480-110-081 and those within chapter 480-110 WAC relating to water service, and chapter 480-09 WAC. The issues involved are generally stated above and more specifically contained in the pleadings herein.

NOTICE IS HEREBY GIVEN That a hearing for the purpose of receiving the evidence of all parties to the above proceeding will be held commencing at the hour of 9:30 a.m., Friday, June 7, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington, for the purpose of receiving the direct testimony and exhibits of all interested persons, including that of the Commission staff, if any, and for cross-examination thereof.

NOTICE IS FURTHER GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE HEARING SET HEREIN, OR OTHER STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN ACCORDANCE WITH THE TERMS OF RCW 34.05.440.

The names and mailing addresses of all parties and their known representatives are as follows:

Complainant:

Robert A. Hart  
P. O. Box 178  
Hoodsport, Washington 98548

Representative:

Unknown

Respondent:

Evergreen Land and Water, Inc.  
% William T. Petty, President  
P. O. Box 336  
Hoodsport, Washington 98548

Representative:

Unknown

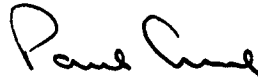
An Administrative Law Judge from the Utilities and Transportation Subdivision of the Office of Administrative Hearings, Third Floor, 2420 Bristol Court SW, Building E, Mail Stop FS-34, Olympia, Washington 98504, (206) 753-6403, will be designated to preside at the hearing.

It is expected that the Commission will appear in this proceeding through the Office of the Attorney General, 1400 S. Evergreen Park Drive SW, Mail Stop FY-11, Olympia, Washington

98504, (206) 753-6405.

Notice of any other procedural phase will be given in writing or on the record as the Commission may deem appropriate during the course of the proceeding.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

  
PAUL CURL  
Secretary

May 16, 1991