

**Exh. RS-1T  
Docket UW-170924  
Witness: Rachel Stark**

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

**SARAH HAND,**

**Complainant,**

**v.**

**RAINIER VIEW WATER CO., INC.,**

**Respondent.**

**DOCKET UW-170924**

**TESTIMONY OF**

**Rachel Stark**

**STAFF OF  
WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION**

*Commission's Staff's Actions Concerning the  
Complaint of Sarah Hand*

**May 3, 2018**

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1 **I. INTRODUCTION**

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**Q. Please state your name and business address.**

A. My name is Rachel Stark. My office address is 1300 South Evergreen Park Drive Southwest, P.O. Box 47250, Olympia, Washington, 98504. My email address is rachel.stark@utc.wa.gov.

**Q. By whom are you employed and in what capacity?**

A. I am employed by the Washington Utilities and Transportation Commission (Commission) as a Consumer Program Specialist.

**Q. How long have you been employed by the Commission?**

A. I have been employed by the Commission since April 25, 1988.

**Q. What are your duties as a Consumer Program Specialist?**

A. I have three primary responsibilities. First, I investigate consumer complaints and provide to consumers, companies, legislators, and other commission staff technical assistance on issues that are more complex in nature. Second, I provide training on relevant portions of the Washington Administrative Code, Revised Code of Washington, and company tariffs to new and current employees. Third, I am also a public involvement coordinator, meaning that I help consumers of regulated companies understand and provide comments on matters or filings going before the commission at open meetings.

1 **Q. Would you please describe any training that you have received to enable you to**  
2 **carry out your duties as a Consumer Program Specialist?**

3 A. I had in-house consumer complaint training with my supervisor and staff trainer  
4 beginning June of 2007. In November of 2007, I attended a three-day Consumer  
5 Affairs staff training program held in Nashville, Tennessee. I have also attended  
6 multiple trainings provided at the commission, as well as various trainings in writing,  
7 communication, and strategies for working with consumers.

8

9 **Q. Have you previously testified before the Commission?**

10 A. No.

11

12 **II. SCOPE AND SUMMARY OF TESTIMONY**

13

14 **Q. What topics will you be discussing in your testimony?**

15 A. I will be discussing how Commission Staff addressed Ms. Hand's complaint. My  
16 testimony will cover my phone discussions with Ms. Hand, emails conversations  
17 with an employee of the Department of Health (DOH), and my email conversations  
18 with Mr. Bob Blackman of Rainier View Water Company (Rainier View).

19

20 **III. MS. HAND'S COMPLAINT**

21

22 **Q. Are you familiar with Sarah Hand?**

23 A. Yes.

1 **Q. How do you know Ms. Hand?**

2 A. Ms. Hand complained informally to the Commission about the water supplied to her  
3 home by Rainier View, which is her water utility. I assisted Ms. Hand with that  
4 complaint.

5  
6 **Q. What was the nature of Ms. Hand's complaint?**

7 A. Ms. Hand complained that, on and off for years, her water has been brown, and that  
8 this brown water caused damage to her pipes.

9 Ms. Hand wanted Rainier View to pay her \$654 for repair costs related to  
10 replacing equipment she believed damaged by the brown water. She stated that when  
11 she initially made this demand to Mr. Blackman, he indicated that the company  
12 would reimburse her; however, later Mr. Blackman stated that it would not and  
13 further that Ms. Hand would not be allowed to take the company to court.

14 Ms. Hand also wanted to know what the company was doing about the brown  
15 water issue in her area so she would receive clear water.

16 A copy of the case report of Ms. Hand's complaint, which includes the filed  
17 version of her complaint, is found at Exhibit RS-2.

18  
19 **Q. When did Ms. Hand contact the Commission with her complaint?**

20 A. She complained on November 16, 2016.

21

1 **Q. What did you do after receiving Ms. Hand's complaint?**

2 A. On November 16, 2016, at 11:37 a.m., I emailed the complaint to Rainier View to  
3 inform it that a consumer had filed a complaint, and I also explained the nature of the  
4 complaint. I asked Rainier View to respond by 5 p.m. on November 18.

5  
6 **Q. Did Rainier View respond?**

7 A. On November 17, 2016, at 4:52 p.m., Mr. Blackman responded on behalf of Rainier  
8 View with an email stating that he advised Ms. Hand that the company does not pay  
9 for customer appliances on the consumer side of the meter.

10

11 **Q. Did Mr. Blackman say anything about Ms. Hand's allegations that Rainier  
12 View could not be sued?**

13 A. Yes. Mr. Blackman stated that Ms. Hand had told him that she would take the  
14 company to small claims court if it did not pay her repair costs. He said that he  
15 explained to her that in previous cases like Ms. Hand's, the person presiding referred  
16 the complaint back to the Commission or the Department of Health (DOH) for  
17 handling.

18

19 **Q. Did Mr. Blackman say anything about Ms. Hand's water quality complaint?**

20 A. Yes. Mr. Blackman stated that Rainier View investigated the water quality in the  
21 wells closest to Springwood Estates, the development where Ms. Hand lives, and  
22 determined that manganese levels had been rising over the past several years. Rainier  
23 View had therefore implemented an iron and manganese removal program, which

1 included hiring an engineering company to design and install a treatment plant  
2 similar to one operating, and apparently working, on another of Rainier View's  
3 wells. Mr. Blackman represented that this treatment plant should be operational in  
4 the spring of 2017.

5 Mr. Blackman also provided a statement from DOH explaining that water  
6 quality issues like the ones Ms. Hand complained of are typically caused by the  
7 knocking loose of built-up deposits of iron and/or manganese in the distribution  
8 piping from a change in the flow of water, like when a fire hydrant is opened.

9  
10 **Q. Did Mr. Blackman contact you after that first email?**

11 A. Yes. In a November 18, 2016, 4:05 p.m. email, Mr. Blackman stated that he was  
12 working with DOH to test Rainier View's water and develop a plan to address  
13 customers' concerns until the treatment plant Mr. Blackman had mentioned to me in  
14 his prior email was online. A copy of my correspondence with Mr. Blackman  
15 between November 16 and November 18, 2016, is included as Exhibit RS-3.

16  
17 **Q. Did you follow up with Mr. Blackman?**

18 A. Yes. In an email dated November 22, 2016, at 3:15 p.m., I asked additional questions  
19 of Mr. Blackman, including whether Rainier View could install a filtration system to  
20 resolve some of the water quality issues raised by Ms. Hand.

21

1 **Q. Did Mr. Blackman respond to your follow up?**

2 A. Yes. In an email dated November 28, 2016, at 1:13 p.m., Mr. Blackman explained  
3 that he believed that providing filtration would be cost prohibitive as Rainier View  
4 would have to provide a system for any customer requesting one. A copy of my  
5 correspondence with Mr. Blackman in late November 2016 is included as Exhibit  
6 RS-4.

7  
8 **Q. Did you and Mr. Blackman have further contact?**

9 A. Yes. We exchanged a few emails after the contacts I discussed above. In an email  
10 dated December 6, 2016, 3:09 p.m., I requested a copies of any test results for the  
11 past three years. Mr. Blackman responded and provided copies in an email dated  
12 December 8, 2016, at 3:22. A copy of these communications is included as Exhibit  
13 RS-5.

14  
15 **Q. Did you look into what remedies the Commission could provide to Ms. Hand?**

16 A. Yes. On December 1, 2016, as part of my investigation, I received a copy of the  
17 memorandum of understanding (MOU) between DOH and the Commission from  
18 John Cupp, Commission Public Involvement Coordinator.

19  
20 **Q. Did you reach out to the DOH in the course of your investigation?**

21 A. Yes.

22



1 **Q. How did you do that?**

2 A. In an email dated December 6, 2016, 1:35 p.m., John Cupp emailed Virpi Salo-  
3 Zieman of the DOH and copied me in order to obtain a communication connection.

4

5 **Q. What did you learn from DOH?**

6 A. After Mr. Cupp's email, Ms. Salo-Zieman responded the same day with an email at  
7 1:48 asking what information I needed. I responded with an email the same day at  
8 2:21 p.m. I asked Ms. Salo-Zieman what standards the DOH holds water utilities to,  
9 what testing Rainier View was performing, and whether the DOH had any  
10 documents that would provide useful information to consumers.

11 Ms. Salo-Zieman responded the same day at 2:49 p.m. with a link to the  
12 United States Environmental Protection Agency's website, which provided  
13 information regarding secondary drinking water standards. Ms. Salo-Zieman  
14 explained that DOH is not aware of any risk of iron or manganese to plumbing  
15 fixtures other than staining, which is an aesthetic issue.

16 Ms. Salo-Zieman also stated that water systems must monitor for iron and  
17 manganese contamination at the entry point to the distribution system regularly, with  
18 testing performed between at least once every three years and at least once every  
19 nine years based on the system.

20 Ms. Salo-Zieman stated that Rainier View had taken steps to install treatment  
21 on the wells that have elevated iron or manganese. She also informed me that there  
22 were no compliance actions related to color, iron, or manganese at the systems  
23 Rainier View owns or operates. According to Ms. Salo-Zieman, the DOH would

1           only take action on aesthetic issues if the majority of the customers on the system  
2           had specific concerns and also understood the cost of addressing those concerns. A  
3           copy of my correspondence with Ms. Salo-Zieman is included as Exhibit RS-6.

4

5   **Q.    Did you ultimately close Ms. Hand’s complaint file?**

6   A.    Yes. During a December 20, 2016, 3:09 p.m., phone conversation with Ms. Hand, I  
7           advised her that the DOH regulates water quality. I also explained that the DOH had  
8           required testing, that the company had completed the required tests, and there was  
9           nothing else that I could do.

10                I told Ms. Hand that I was closing the complaint. Ms. Hand became angry  
11                and asked me not to do so until after the decision regarding Rainier View Water  
12                Company’s most recent tariff filing, which was being presented at the Commission’s  
13                upcoming open meeting. I explained the open meeting process and informed Ms.  
14                Hand that the public had an opportunity to speak and present comments to the  
15                commissioners. I agreed to Ms. Hand’s request and informed her that I would close  
16                her complaint after the open meeting. Ms. Hand thanked me. I then closed the  
17                complaint January 5, 2017. A copy of the file entry for the closure of Ms. Hand’s  
18                complaint is included with Exhibit RS-2, beginning on page 17.

19

20   **Q.    Does this conclude your testimony?**

21   A.    Yes.