

August 12 2017 11:32 AM

KEVIN STOCK
COUNTY CLERK
NO: 17-2-12992-1

1
2
3
4
5
6 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
7
8 IN AND FOR THE COUNTY OF PIERCE

9 WASHINGTON STATE DEPARTMENT
10 OF HEALTH,

11 Petitioner,

NO. 17-2-12992-1

12 vs.

MOTION FOR AND MEMORANDUM IN
13 SUPPORT OF SUPPLEMENTAL ORDER

14 KAPOWSIN WATER DISTRICT, Owner,
15 KAPOWSIN WATER SYSTEM,

16 Respondent.

17 **MOTION**

18 COMES NOW Pierce County, by and through Mary Robnett, Prosecuting Attorney, by
19 her deputy, John F. Salmon, Deputy Prosecuting Attorney, and moves this court for an order
20 supplementing the order appointing Pierce County as receiver in the above entitled matter. This
21 motion is based on the following memorandum in support, the accompanying Declaration of
22 Carla Vincent, and the court's records in the above entitled case.
23

24 **MEMORANDUM**

25 On November 29, 2017, the court entered an order appointing Pierce County as Receiver
of the Kapowsin Water District. That Order provides that the county may: "Impose reasonable

1 assessments on the water systems' customers to recover expenditures for improvements
2 necessary for public health and safety, as well as for daily operation and maintenance of the
3 water system," (Para. 4.1.6) and "Impose rates and charges that are uniform and
4 nondiscriminatory as to each class of service and as to customers receiving a like service or as
5 otherwise authorized by law" (Para. 4.1.7).

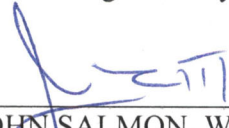
6 There are currently several customers who have fallen behind on their water payments.
7 As part of the state's response to the COVID outbreak, Governor Inslee placed a moratorium
8 on collection of past due utility accounts. That moratorium is expected to expire, perhaps as
9 early as September 30, 2021. The County has prepared administrative standards for the purpose
10 of collecting past due accounts and managing other routine customer account issues. These
11 standards (attached to the declaration of Carla Vincent) include addressing delinquent accounts
12 by discontinuing water service to a residence once a customer has received due process and has
13 failed to make satisfactory progress on the customer's overdue payment.

14
15 **RELIEF REQUESTED**

16 The county requests that the court issue a supplemental order authorizing the county to
17 make collections of past due accounts, and shutting off water, in accordance with the proposed
18 standards.

19 Dated this 12th day of August, 2021.

20
21 MARY ROBNETT
22 Prosecuting Attorney

23 By: 
24 JOHN SALMON, WSBA #20812
25 Deputy Prosecuting Attorney
Attorneys for Pierce County
PH: (253) 798-7783 / FAX: (253) 798-6713