

**FINAL BILL REPORT**

**SSB 5045**

**C 134 L 91**

**SYNOPSIS AS ENACTED**

**Brief Description:** Providing for investigation of consumer complaints regarding drinking water quality.

**SPONSORS:** Senate Committee on Energy & Utilities (originally sponsored by Senators Madsen, Barr and Conner).

**SENATE COMMITTEE ON ENERGY & UTILITIES**

**HOUSE COMMITTEE ON ENERGY & UTILITIES**

**BACKGROUND:**

All water systems, both publicly and privately owned, are required to comply with drinking water standards adopted by the State Board of Health. There are different requirements as to frequency and type of testing required for each system, depending on its size and its water source. For certain types of contaminants tests may be required only once a year. A customer that believes there may be a quality problem with the water provided by his or her system may request the Department of Health (DOH) or local health department to investigate, or may complain to the Utilities and Transportation Commission (UTC) if the system is privately owned and falls within its jurisdiction. Legislation enacted in 1990 requires DOH and each county to adopt procedures for handling complaints from customers regarding water service, but the legislation does not require protection for customers while the investigation is underway. The UTC has adopted a regulation that prohibits a regulated water company from disconnecting service while a customer is pursuing any remedy permitted under the UTC's complaint procedures. The UTC regulation does not prescribe any action to be taken by the UTC if the water quality is found not to meet state standards. Some water system customers have expressed concern over the lack of specific procedures to be followed, and the lack of protection from possible retaliation.

**SUMMARY:**

Any customer of a system that is subject to UTC jurisdiction may file a complaint with the UTC when the customer has reason to believe that the system's water does not meet state drinking water standards. The UTC is required to investigate such complaints, and to request either DOH or the local health department to test the system's water, at the system's expense. The UTC may decide not to investigate a complaint if it determines that it has been filed in bad faith, for the purpose of harassment of a water company, or for other reasons

has no substantial merit. During the pendency of the investigation, the water system is prohibited from taking any steps against the customer to terminate service or collect any money allegedly owed, and the UTC is given the authority to enforce this provision. Customers may choose to have their water tested by a licensed or qualified laboratory, at their expense, and provide the results to the UTC. If the water quality is found not to meet state drinking water standards, the UTC shall exercise its authority over the system and may order a pro rata refund to the customer of any amounts paid for the substandard water, and shall order that the water system reimburse the customer any costs of testing.

**VOTES ON FINAL PASSAGE:**

Senate	45	0
House	96	1

**EFFECTIVE:** July 28, 1991