

SENATE BILL REPORT

SB 6808

As of February 3, 2010

Title: An act relating to private infrastructure development.

Brief Description: Concerning private infrastructure development.

Sponsors: Senators Kilmer, Shin, Delvin and Kastama.

Brief History:

Committee Activity: Economic Development, Trade & Innovation: 2/03/10.

SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE & INNOVATION

Staff: Jack Brummel (786-7428)

Background: Private utilities include all utilities, both public and private, which provide sewerage and/or water service and which are not municipal corporations. The ownership of a private utility may be in: a corporation, nonprofit or for-profit; a cooperative association; a mutual organization; or individuals.

A system of sewerage may include:

- sanitary sewage collection, treatment, and/or disposal facilities and services;
- on-site or off-site sanitary sewerage facilities;
- large on-site sewage systems;
- inspection services and maintenance services for private or public on-site systems;
- combined sanitary sewage disposal and storm or surface water drains and facilities;
- storm or surface water drains, channels, and facilities;
- outfalls for storm drainage or sanitary sewage;
- works, plants, and facilities for storm drainage or sanitary sewage treatment and disposal, and rights and interests in property relating to the system;
- combined water and sewerage systems;
- point and nonpoint water pollution monitoring programs that are directly related to the sewerage facilities and programs operated by a county; and
- public restrooms and sanitary facilities.

Private wastewater companies in Washington are not currently permitted to own and operate private sewerage systems serving more than seven to nine customers, depending on customer

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size. In some areas of the state, a lack of sewer services may be constraining economic development and growth.

The Utilities and Transportation Commission (UTC) regulates utilities and transportation services in the state to ensure fair pricing, availability, reliability, and safety.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): A wastewater company is defined as a private utility operating a system of sewerage. For purposes of the jurisdiction of the UTC, wastewater companies do not include:

- publicly owned wastewater systems;
- companies that contract with publicly owned wastewater systems; or
- wastewater companies serving fewer than 100 customers.

UTC rules and regulations that apply to gas, electrical, and water companies also apply to wastewater companies. The Department of Health and the Department of Ecology may request information of the UTC regarding a private utility or require information of a private utility to determine whether the private utility has the financial and other resources to assure the reliability, continuity, and supervision of a reclaimed water facility.

Municipal corporations or private utilities may petition for amendments to county sewerage and/or water general plans.

Appropriation: None.

Fiscal Note: Requested on January 29, 2010.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.