

J. Craig Smith #4143  
(jcsmith@smithlawonline.com)  
Adam S. Long #14701  
(along@smithlawonline.com)  
SMITH HARTVIGSEN PLLC  
175 South Main Street, Suite 300  
Salt Lake City, Utah 84111  
Telephone: (801) 413-1600  
Facsimile: (801) 413-1620

*Attorneys for Ticaboo Utility Improvement District*

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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**In the Matter of the Formal Complaint of  
Marian Seamons against Ticaboo Utility  
Improvement District**

**MOTION TO DISREGARD  
PROHIBITED EX PARTE  
COMMUNICATIONS**

Docket No. 15-2508-01

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Ticaboo Utility Improvement District (“**TUID**”), through its undersigned counsel, hereby moves that the Commission disregard the email sent by Marian Seamons, the complainant in this docket, to all three Commissioners on April 12, 2016 (the “**Ex Parte Email**,” attached hereto as **Exhibit A**). Per R746-100-13, ex parte communications between a party involved in a Commission proceeding and the Commission are strictly prohibited, except in certain situations that are not applicable here. As such, the Ex Parte Email and any other ex parte communications between Ms. Seamons and the Commissioners or other Commission staff likely to be involved in the decision-making process in this docket must be disregarded. In accordance with R746-100-13(F), TUID requests that the Commission order that all ex parte communications from Ms. Seamons be disregarded in arriving at a decision in this docket. Further, TUID requests an opportunity to respond on the record to the assertions of fact and alleged conclusions of law contained in the Ex Parte Email.

TUID also respectfully requests that the Commission remind Ms. Seamons to follow the applicable rules of conduct and, if such communications continue, to order Ms. Seamons to “show cause why the communicator's interest in the proceeding should not be dismissed, denied, disregarded, or otherwise adversely affected because of the violation [of R746-100-13].” (R746-100-13(G)). The Ex Parte Email from Ms. Seamons is a clear violation of the Commission’s rules and serves to harass and prejudice TUID while causing TUID to incur additional costs to address such communications.

Respectfully submitted this 13<sup>th</sup> day of April, 2016.

**SMITH HARTVIGSEN, PLLC**

        /s/ Adam S. Long        

J. Craig Smith

Adam S. Long

*Attorneys for Ticaboo Utility Improvement  
District*

## CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing MOTION TO DISREGARD PROHIBITED EX PARTE COMMUNICATIONS was served as indicated on the following on April 13, 2016:

By email and hand delivery:

UTAH PUBLIC SERVICE COMMISSION  
c/o Gary Widerburg, Commission Secretary  
160 East 300 South, Fourth Floor  
Salt Lake City, Utah 84111  
psc@utah.gov

By email:

Jon M. Hogelin, # 14981  
Benjamin Lakey, #14699  
LAKEY HOGELIN, PLLC  
jon@lakeyhogelin.com;  
ben@lakeyhogelin.com  
Attorneys for Marian L. Seamons

Patricia Schmid (pschmid@utah.gov)  
Justin Jetter (jjetter@utah.gov)  
Rex Olsen (rolsen@utah.gov)  
Utah Assistant Attorneys General

/s/ Adam S. Long

## **EXHIBIT A**

to Motion To Disregard Prohibited Ex Parte Communications



PublicService Commission &lt;psc@utah.gov&gt;

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**Fwd: Standby fee's in the state of Utah**

1 message

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**Jordan White** <jordanwhite@utah.gov>  
To: PublicService Commission <psc@utah.gov>

Tue, Apr 12, 2016 at 3:05 PM

----- Forwarded message -----

From: "Marian Seamons" <sharonmarianseamons@gmail.com>  
Date: Apr 12, 2016 2:54 PM  
Subject: Standby fee's in the state of Utah  
To: <Tlevar@utah.gov>, <drexclark@utah.gov>, <jordanwhite@utah.gov>  
Cc:

April 11, 2016

Dear Commissioners,

I'm writing you in regards to the standby fee's which are illegal in Utah state code. The standby fee's are being charged to me in two county's, one is Garfield and the other is Juab.

My names is Marian Seamons and I have lived in Utah my entire life, I'm eighty three in May and my husband is eighty five, we went into buying properties and rentals to subsidize our income after my husband was laid of from Geneva Steel in 1985.

I'm writing to request that you will take time to view the formal complaint that I have filed against Ticaboo Utility Improvement District docket number 15-2508-01.

In the year 2000 we purchased ten lots in the trailer park section of Ticaboo and took down three double wide modular homes and one single trailer, we left three of the property's vacant, the mining company provide utility service's to the town until 2010 at that time a District was formed, at that time we had to move from the area so we could be close to hospitals as we have needed constant medical treatment.

In the year 2013 the district was setting to charge standby fee's, at the time they did not contact me and only after six months did I receive a bill for nearly forty seven hundred dollars, and at this time I'm being charged nine hundred and forty eight dollars a month for water, garbage, sewer, and power I don't consume,

I do use one of the houses for six months out of the year for a vacation property and try to rent one out for seasonal workers, the other single trailer is not habitable for living and three properties are sand in the desert with nothing on them.

I'm hoping that you can view this and talk with legislators and that there can be some resolution .....

I appreciate your time and would be grateful to hear response from any of you, if you have any questions and would like to contact me please feel free to anytime.

My phone number is 801- 669- 0276 and my daughter Maris who is helping me is 801-227-9962....

Marian Seamons