



State of Utah  
Department of Commerce  
Division of Public Utilities

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**-== MEMORANDUM ==-**

**TO:** Utah Public Service Commission

**FROM:** Division of Public Utilities  
Philip Powlick, Director  
William Duncan, Manager, Telecommunication & Water Section  
Shauna Benvegnu-Springer, Utility Analyst

**SUBJECT:** In the Matter of the Property Owners Request for Verification of a  
Public Water System in Utah

**RE:** Docket No 09-9999-01

**DATE:** July 20, 2010

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**RECOMMENDATION:**

The Division recommends the Commission request Salt Lake County to deny the proposed project until the water company complies with the ordinances and state law administered by the Public Service Commission to operate in Utah.

**EXPLANATION:**

The Division has reviewed and researched the request from Salt Lake County Planning and Development Services Division regarding Project Application No. 25352 for the single-family dwelling being built at 2160 Mt Aire Rd in Parleys Canyon. The Division has verified that the private water system, which the property will connect to, is Birch Spring Non-Profit Private Water Corporation (Birch Spring). The Public Service Commission has not issued a Certificate of Public Convenience and Necessity to regulate Birch Spring nor has it issued a Letter of Exemption. The Division has contacted the water company and has forwarded information for their compliance. Until the water company is in compliance, the Division recommends denying the proposed project.

cc: Spencer Sanders, Salt Lake County  
Ivan Pack, Birch Spring Non-Profit Private Water Corporation  
Rod Stewart, Builder  
Brent & Melanie DeHart, Property Owners  
Michael Grange, Division of Drinking Water