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Attorneys for D.J. Investments, LLC and Concerned Citizens of Draper

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of WATERPRO, Inc. for a Certificate of Convenience and Necessity to Operate as a Public Utility Rendering Culinary Water Service Docket No. 04-2443-01

Motion to Continue

Intervenors, D.J. Investments, LLC ("DJI") and Concerned Citizens of Draper ("CCD") hereby move this commission to continue the hearing scheduled for July 19, 2005 regarding WaterPro, Inc.'s Application for Certificate of Convenience and Necessity to Operate as a Public Utility Rendering Culinary Water Service, as follows:

On or about June 15, 2005, before the deadline to intervene, DJI and CCD filed their motion to intervene in this matter. They were not granted the right to participate as intervenors until July 8, 2005. They were not actually given any sort of notice of the grant of their petition to intervene by the commission. Rather, other concerned citizens alerted them of that fact, late in the afternoon on July 8th. On Monday, July 11, 2005, counsel for DJI and CCD attended a technical conference during which the applicants and other necessary parties or their representatives participated in discussions with the applicant. During that conference, the applicants indicated, in addition to answer several question posed during the conference, that they would provide answers to any discovery requests on an informal basis.

DJI and CCD will have had, in essence, less than a week since notification to prepare for the upcoming hearing. At this point, DJI and CCD are still undecided if they even need to oppose the application. That has yet to be determined, and can only be determined once all the documentation requested has been supplied and they have had an adequate opportunity to review. These groups are concerned citizens and users of the culinary water system. They will

be materially affected by the decisions made by the commission with regard to this application. As the commission is well aware, one of the main issues before it, is the institutionalization of rates to be charged people and entities like these intervenors. At this point, the applicants have provided answers in response to the majority of the discovery requests DJI and CCD have made, but have not provided responses to them all. This places DJI and CCD in a very prejudicial position.

Without adequate notice, time to prepare, and opportunity to review pertinent information an informed decision cannot be made and these intervenors, along with all others impacted by the decision of the commission, will be prejudiced.

Finally, Mr. Snuffer has learned this week that an emergency hearing is scheduled in the Fourth District Court for the morning of the 19th, which will prevent him from participating in the hearing. Therefore, he would like a continuance so that he can be present when the matter is heard.

Intervenors do not ask for much time, only enough to adequately prepare and receive the documents requested. Three to four weeks should be sufficient. A continuance of that nature or that short a time, does not materially prejudice the applicants in any way. Therefore, DJI and CCD respectfully request this commission to continue the hearing set for July 19th in accordance with the foregoing.

Respectfully submitted this 15th day of July, 2005.

Denver C. Snuffer, Jr.

Daniel B. Garriott

Attorneys for D.J. Investments, L.C. and Concerned Citizens of Draper

Certificate of Service

I certify that on July 15, 2005 I mailed, postage prepaid, or emailed a true and correct copy of the foregoing Motion to Continue to the following:

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