

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Request of Highland)
Water Company, Inc. Compliance Tariff) DOCKET NO. 09-010-T01
Filing as Amended by Commission Report)
and Order of August 5, 2005) REPORT AND ORDER

ISSUED: September 28, 2009

By The Commission:

This matter is before the Commission on Highland Water Company, Inc.'s (Highland) filing of proposed tariff. On June 4, 2009, in Docket No. 08-010-01, the Commission ordered the following:

1. The overall rate increase requested by Highland Water Company is approved, as modified by the Division of Public Utilities' May 11, 2009, Memorandum.
2. The rates and tariff changes requested by Highland Water Company, as modified by the Division of Public Utilities' May 11, 2009, Memorandum are approved by the Commission.
3. The stand-by fee shall be considered as discussed in this Report and Order. Interested persons may file objections to the approval of the fee within 20 days from the date of this Report and Order. If objection is made, the fee shall be suspended, pending hearing by the Commission. If no objection is filed, the stand-by fee shall be approved, without further action by the Commission.
4. Highland shall submit revised tariff sheets incorporating the tariff changes recommended by the Division of Public Utilities. The Division of Public Utilities shall review the revised tariff sheets to ensure their conformance to the recommendations and this Report and Order. The rate changes shall become effective on the date of issuance of the Report and Order.

Report and Order, June 4, 2009, Docket No. 08-010-01, p.3.

Highland, in a letter subsequent to the June 4, 2009 Order, requested that additional items be permitted in the tariff. The Commission opened a new docket, Docket No. 09-010-01, and requested the Division of Public Utilities (Division) review the

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request and make a recommendation on the proposed amendments to the tariff. The Division recommended approval of the tariff amendments. Another Report and Order was issued on August 5, 2009 ordering as follows:

1. Late payment fee: A late fee of \$10.00 or interest service fee of 1.5% per month, whichever is greater;
2. Non-sufficient funds or returned check fee: A fee of \$20.00 per incident;
3. Supplementary water deposit, fee and rate: A \$100 supplementary water set-up, a \$100 water take- down fee, a refundable \$1,000 security deposit, and supplementary water rate of \$5.00 per thousand gallons.

Report and Order, August 5, 2009, Docket No. 09-010-T01, p.2.

Highland's proposed tariff filed with the Commission included the tariff-related items ordered by the August 5, 2009 Order, but not those ordered in the June 4, 2009 Order. The Division recommended disapproval of the proposed tariff until Highland submits a tariff that complies with both the June 4 and August 5 Orders. The Division stated that it is working with Highland to have a compliant tariff submitted by September 30, 2009.

ORDER

Therefore, the Commission disapproves Highland's current proposed tariff.

Pursuant to Sections 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the Commission within 30 days after the issuance of this Order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission does not grant a request for review or rehearing within 20 days

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after the filing of the request, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a petition for review with the Utah Supreme Court within 30 days after final agency action. Any petition for review must comply with the requirements of Sections 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 28th day of September, 2009.

/s/ Ruben H. Arredondo
Administrative Law Judge

Approved and confirmed this 28th day of September, 2009, as the Report and Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#63584