

**FORMAL COMPLAINT FORM
PUBLIC SERVICE COMMISSION
Heber M. Wells State Office Building
160 East 300 South, Fourth Floor
P.O. Box 45585
Salt Lake City, Utah 84114**

1. Name of Complainants: Each and all of the signatories to the attached letter dated February 16, 2011 to the Weber County Commissioners, a copy of which constituted our informal complaint to the Public Service Commission, plus new complainants David and Marsha Smith, 6711 Via Cortina, Huntsville, Utah 84317.

Address: As reflected on the above letter, as supplemented above.

Telephone No. : Dawn Martell: 1-941-400-5481
Bob Kimball: 1-810-678-3545
Frank Cumberland: 1-801-745-8757
Larry Zini: 1-801-745-9673
Marsha Smith: 1-315-391-3917

2. The utility being complained against is: Mountain Sewer Corporation, Huntsville, Utah.
3. What did the utility do which you (the Complainant) think is illegal, unjust, or improper? Include exact dates, times, locations and persons involved, as closely as you can. 1. Each and all of the actions and omissions cited in the letter of February 16, 2011 cited above attached hereto and incorporated herein by reference. 2. Causing or permitting or otherwise failing to prevent the spill across the surface of the ground and the incursion into the interiors of some fifteen (15) condominiums at the Lakeside Village Condominiums, Huntsville, of raw sewage on the night of March 16, 2011. 3. Failure to provide adequate, efficient, just and reasonable service as set forth in Utah Code 54-3-1. 4. Failure to charge uniform fees for connections, standby fees, and the like, among its customers. 5. Attempts to charge disparate connection fees to new users, lower than those charged to existing customers, without obtaining the permission of the Public service Commission. 6. Misleading or attempting to mislead the Public Service Commission as to the causes and effects of its actions and omissions, as reflected in its responses to the Complainants' informal complaint as supplemented by the events of March 16, 2011, as more fully set forth in Exhibit A, attached.
4. Why do you (the Complainant) think these activities are illegal, unjust or improper? Complainants respectfully submit that the events of March 16, 2011 and the other violations of Utah Code and Administrative Rules cited in their letter of February 16, 2011 speak for themselves and amply demonstrate illegal, unjust, and improper conduct on the part of Mountain Sewer.

5. What relief does the Complainant request? 1. That all deficiencies and illegalities in the operation of Mountain Sewer as are identified by the PSC be rectified forthwith. 2. That all violations of Utah Code and Administrative Rules by Mountain Sewer as are identified by the PSC cease and/or be corrected immediately. 3. That the PSC order the system to be "scoped," as that term is used in the industry, within 60 days to determine deficiencies, blockages, leaks, or other sources of operational problems, incursions of storm water, and the like, in order to prevent or minimize the recurrence of the events of March 16, 2011 and similar such events in the past, as set forth in Exhibit A, attached. 4. That the PSC investigate and audit or order the investigation and independent audit of the books of Mountain Sewer to determine whether its charges to customers and prospective customers have been uniform and proper and whether or not there has been any commingling of funds, and that the PSC take such action at the conclusion thereof as it deems appropriate. 5. That the PSC enjoin or otherwise place a moratorium on the filing and prosecution of any Mountain Sewer rate increase request and/or any request for PSC approval of a sale or transfer or other disposition of the assets or the stock of Mountain Sewer until and unless each of the foregoing has been accomplished to the satisfaction of the PSC. 6. That the costs, if any, of Mountain Sewer's response to or defense of this complaint; the costs to rectify operational problems and/or violations of statute or administrative rule; the costs to Mountain Sewer of any investigations and audits attendant hereto and any remedial payments by Mountain Sewer as a result thereof; and any fines or penalties levied by the PSC or any other agency of the State of Utah against Mountain Sewer NOT be considered as part of the rate base in calculating Mountain Sewer's rates going forward. 7. That the PSC take such other and further actions as it deems appropriate under its rules as a result of its investigation and resolution of this complaint.

6. Signature of Complainant

Dawn Martell *YMS*
on behalf of all complainants
Marsh Smith
For David and Marsha Smith, new complainants

Date: April 28, 2011