

Mr. Ross Hudson  
Public Service Commission of Utah  
Box 45585  
Salt Lake City, Utah 84145-0585

May 9, 2011

Re: Mountain Sewer

Dear Mr. Hudson:

This is to advise of a minor change in our formal complaint against Mountain Sewer. Having investigated further, we have determined that, while our complaint is technically correct in this respect, the charge that Mountain Sewer has yet to obtain an operating license from DWQ may not be due to Mountain Sewer's negligence or ignoring the law, as are many of the other charges.

We have learned that DWQ failed to notify it and a number of other sewer companies of the legislature's action in requiring (at DWQ's request) operating permits, some three years ago. It was apparently not until recently that Mountain Sewer and a number of other companies were notified by DWQ of the statutory requirement. While under normal circumstances ignorance of the law is no excuse, we do not feel that Mountain Sewer's conduct in this regard rises to the level of an actionable failure, and are therefore dropping this charge from our complaint.

We are by copy of this letter advising Mountain Sewer of our action.

Very truly yours,

/s/

Frank J. Cumberland