

Public Service Commission - Fw: Docket 11-2195-01 request and demand for legal costs under well lease Page 7 Paragraph 3

From: "J. Rodney Dansie" [REDACTED]
To: "Public Service Commission" <psc@utah.gov>
Date: 6/28/2012 1:23 AM
Subject: Fw: Docket 11-2195-01 request and demand for legal costs under well lease Page 7 Paragraph 3

From: J. Rodney Dansie
Sent: Thursday, June 28, 2012 12:20 AM
To: J. Craig Smith
Subject: Docket 11-2195-01 request and demand for legal costs under well lease Page 7 Paragraph 3

June 25, 2012

J, Craig Smith
Smith Harvigsen, PLLC

Noel Williams, Presiden
Hi-Country Homers Association

This notice and request and demand is in response to your recent Response and Request in Docket 11-2195-01 Dated June 22, 2012 asking That the P. S. C. Of Utah take jurisdiction over Hi-Country Estates Home Owners Phase 1 Water system.

Based on your request and actions in this Matter it is necessary to bring to your attention Exhibit D Well LEASE AND WATERLINE EXTENSION AGREEMENT PAGE 7 PARAGRAPH 3 REGARDING APPLICATION TO THE UTAH PUBLIC SERVICE COMMISSION .
BAGLEY (HI-COUNTRY ESTATES HOME OWNERS ASSOCIATION PHASE 1) AGREES TO PAY ALL COSTS INCURRED IN OBTAINING SUCH APPROVAL, INCLUDING BUT NOT LIMITED TO, LEGAL AND ENGINEERING FEES.

I HAVE CONTACTED TWO LAW FIRMS THAT HANDLE P. S. C. MATTERS AND CASES AND THEY ESTIMATED THAT IT WILL REQUIRE A RETAINER OF \$ 10,000 FOR THERE FIRM TO BECOME INVOLVED AND REPRESENT THE INTERESTS OF DANSIES UNDER THE WELL LEASE AGREEMENT BEFORE THE PUBLIC SERVICE COMMISSION IN THIS MATTER. IF THE COSTS ARE MORE THEY WILL BILL FOR THE BALANCE AND IF LESS WILL REFUND THE OVERPAYMENT. SINCE THESE COSTS ARE TO BE PAID BY THE HI-COUNTRY HOMERS ASSOCIATION PHASE 1 THE OWNER OF THE WATER SYSTEM AND THE ORGANIZATION OBLIGATED UNDER THE WELL LEASE TO DANSIES WE ARE ASKING FOR A PAYMENT OF \$10,000 TO PAY THE RETAINER FEE AS PER PARAGRAPH 3 PAGE 7 OF THE WELL LEASE.
THIS MATTER IS VERY IMPORTANT AND NEEDS A TIMELY RESPONSE AND PAYMENT OF THE

RETAINER FEES SO TO NOT DELAY THE PROCEEDINGS BEFORE THE COMMISSION BUT TO COVER THE LEGAL COSTS AS PER THE WELL LEASE AGREEMENT AS REFERENCED ABOVE.

THE P. S. S. WILL BE REQUESTED TO RULE ON THIS ISSUE AND MAKE IT PART OF ANY ORDER THEY PREPARE AND APPROVE.

THANK YOU FOR PROMPT ATTENTION TO THIS MATTER

J. RODNEY DANSIE [REDACTED]

Certificate of service I hereby certify that the request for legal costs under well lease Page 7 Paragraph 3 were served on the following on June 27, 2012 as follows Via USMail and e-mail to :

cc:

Dennis Miller-- Legal Assist dpudatarequest@utah.gov dennismiller@utah.gov U. S. Mail and email / all others vial email

Melanie A. Reif--Administrative law Judge via psc@utah.gov

Public Service Commission of Utah (psc@utah.gov)

Patrica Schmid DUP (pschmid@utah.gov)

Shunna Benvegna-Springer DUP(sbenvegn@utah.gov)

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Noel Williams, President Hi-Country Estates Homers Association Phase 1 (jcsmith@smithlawonline.com)

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