

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of WaterPro )  
Inc. for a Culinary Water Rate Case ) DOCKET NO. 12-2443-01  
) REPORT AND ORDER  
) GRANTING RATE INCREASE FOR FIRE  
) SERVICE USER FEE  
)  
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ISSUED: June 13, 2013

By The Commission:

SYNOPSIS

The Commission approves WaterPro Inc.'s request for a fire service user fee.

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**APPEARANCES:**

Darrin L. Jensen, *Pro Se*  
C.E.O./ General Manager  
WaterPro Inc.  
PO Box 156  
Draper, UT 84020

For WaterPro Inc.

Patricia E. Schmid  
Assistant Utah Attorney General  
Heber M. Wells Building  
160 East 200 South, 5th Flr.  
Salt Lake City, UT 84111

For The Division of Public Utilities

**I. BACKGROUND**

On February 22, 2013, the Utah Public Service Commission (“Commission”) issued an order which, in part, denied WaterPro Inc.’s (“WaterPro”) request for fire service user fee, pending notice by WaterPro to its customers, pursuant to Utah Code Ann. § 54-3-3 (2010), and a hearing on the limited issue of whether the fire service user fee should be approved.

On April 25, 2013, and April 30, 2013, WaterPro filed proof of notice to its customers who will be charged the proposed fire service user fee. On May 6, 2013, in response to a request for agency action, the Division of Public Utilities (“Division”) filed a recommendation to approve WaterPro’s request. On May 29, 2013, the Commission held a duly-noticed hearing.<sup>1</sup> Darrin L. Jensen appeared *pro se* on behalf of WaterPro. Patricia E. Schmid, Assistant Utah Attorney General, appeared on behalf of the Division, and was accompanied by Mark A. Long, utility analyst and witness for the Division. No one appeared in opposition.

**II. WATERPRO’S REQUEST FOR A FIRE SERVICE USER FEE**

**A. WaterPro’s Position**

WaterPro does not currently charge a fire service user fee. WaterPro now seeks to add this fee. If approved, this fee would be charged to 113 WaterPro customers who have connections to WaterPro’s system used specifically for fire service. Providing this service requires additional planning and infrastructure which adds to system costs. This proposed fire service user fee is meant to cover these increases to system costs.

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<sup>1</sup> The hearing was rescheduled from May 20, 2013, at WaterPro’s request.

At hearing, WaterPro testified that customers who are proposed to be affected by the pending application have been made aware of the pending fee and none have responded.

WaterPro proposes the following fire service user fee take effect June 1, 2013:

**Proposed Fire Service User Fee**

Size (in inches)	Number of Users	Annual Administrative Cost	Annual Fire Protection Capacity Cost	Total Annual Fire Service User Fee	Total Annual Income
2	11	\$23.06	\$3.07	<b>\$26.13</b>	<b>\$287.43</b>
4	25	\$23.06	\$19.01	<b>\$42.07</b>	<b>\$1,051.75</b>
6	61	\$23.06	\$55.09	<b>\$78.15</b>	<b>\$4,767.15</b>
8	15	\$23.06	\$117.62	<b>\$140.68</b>	<b>\$2,110.20</b>
10	1	\$23.06	\$211.91	<b>\$234.97</b>	<b>\$234.97</b>
Totals	113				<b>\$8,451.50</b>

**B. Division's Position**

The Division testified the fire service user fee rates are just and reasonable, and in the public interest.

**C. Commission's Findings**

WaterPro's notice to its customers satisfies the Commission's February 22, 2013, order, requiring notice to affected customers of the fire service user fee. The testimony supports approving the fire service user fee as just and reasonable, and in the public interest. Further, no one objects to the proposed fee.

**III. ORDER**

Wherefore, pursuant to our discussion, findings, and conclusions herein, WaterPro's fire service user fee is approved effective June 1, 2013. This order memorializes the bench order rendered at the hearing held in this matter on May 29, 2013.

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DATED at Salt Lake City, Utah, this 13<sup>th</sup> day of June, 2013.

/s/ Melanie A. Reif  
Administrative Law Judge

Approved and confirmed this 13<sup>th</sup> day of June, 2013, as the Report and Order of the  
Public Service Commission of Utah.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg  
Commission Secretary  
D#244767

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the Commission within 30 days after the issuance of the 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 fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, 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 Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on the 13<sup>th</sup> day of June, 2013, a true and correct copy of the foregoing was served upon the following as indicated below:

By U.S. Mail:

Darrin L. Jensen  
WaterPro Inc.  
12421 South 800 East  
PO Box 156  
Draper, UT 84020

By Electric-Mail:

Darrin L. Jensen ([jensen@waterpro.net](mailto:jensen@waterpro.net))  
WaterPro Inc.

Patricia Schmid ([pschmid@utah.gov](mailto:pschmid@utah.gov))  
Justin Jetter ([jjetter@utah.gov](mailto:jjetter@utah.gov))  
Utah Assistant Attorneys General

By Hand-Delivery:

Division of Public Utilities  
160 East 300 South, 4<sup>th</sup> Floor  
Salt Lake City, Utah 84111

Office of Consumer Services  
160 East 300 South, 2<sup>nd</sup> Floor  
Salt Lake City, Utah 84111

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Administrative Assistant