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Attorneys for Hi-Country Estates Homeowners Association

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of Hi-Country)	
Estates Homeowners Association for Approval)	MOTION TO EXCLUDE
of Its Proposed Water Rate Schedules and Water)	INADMISSIBLE PORTIONS OF
Service Regulation)	DIRECT TESTIMONY OF
)	RODNEY DANSIE
)	
)	Docket No. 13-2195-02
)	

Hi-Country Estates Homeowners Association (“Hi-Country”), by and through its undersigned counsel, Smith Hartvigsen, PLLC, hereby moves that portions of the Direct Testimony of Rodney Dansie, filed by Intervenor Rodney Dansie (“Dansie”) on January 30th, 2014, be excluded for the reasons set forth herein and further explained in the Memorandum in Support of this Motion, filed concurrently herewith.

Mr. Dansie offers a variety of legal conclusions, as detailed in the Memorandum, all reflecting his interpretation of the Well Lease Agreement and amendment thereto. These legal conclusions should be excluded because they are inadmissible, are irrelevant, are improper lay opinion testimony, and/or are questions of law that are purely the province of the Commission.

Hi-Country is aware that the Commission is inclined to be lenient on procedural objections levied against *pro se* intervenors; Mr. Dansie, however, is represented by capable

counsel on this matter and Hi-Country requests that its objections be given full consideration. Hi-Country is concerned that allowing such legal conclusions to stand in Mr. Dansie's testimony may be prejudicial to Hi-Country. In the event that the Commission declines to rule on this Motion until the scheduled hearing for the above-captioned docket on March 5th, Hi-Country respectfully requests that its objections to the Testimony of Rodney Dansie be noted and preserved until that time.

Dated this 20th day of February, 2014

/s/ J. Craig Smith
J. Craig Smith
Megan E. Garrett
Adam S. Long
SMITH HARTVIGSEN, PLLC
*Attorneys for Hi-Country Estates
Homeowners Association*

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of February, 2014, I served a true and correct copy of the foregoing **MOTION TO EXCLUDE INADMISSIBLE PORTIONS OF DIRECT TESTIMONY OF RODNEY DANSIE** by causing the same to be delivered to the following:

Via hand delivery and email to:

UTAH PUBLIC SERVICE COMMISSION
c/o Gary Widerburg, Commission Secretary
160 East 300 South, Fourth Floor
Salt Lake City, Utah 84111
psc@utah.gov

Via U.S. mail to:

John S. Flitton
FLITTON PLLC
1840 Sun Peak Drive, Suite B-102
Park City, UT 84098

William B. and Donna J. Coon
7876 W Canyon Rd
Herriman, UT 84096

Via email to:

Utah Division of Public Utilities
Chris Parker
chrisparker@utah.gov

William Duncan
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Attorney General's Office
Patricia Schmid
pschmid@utah.gov

/s/ J. Craig Smith
