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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

**IN THE MATTER OF COMMUNITY
WATER COMPANY, LLC**

DOCKET NO. 16-098-01
**RESPONSE OF THE UTAH DIVISION
OF PUBLIC UTILITIES TO ART
BROTHERS' REQUEST FOR
INTERVENOR STATUS**

Pursuant to Public Service Commission of Utah (Commission) R746-100-4, the Utah Division of Public Utilities (Division) hereby files its Response to Art Brothers' Request for Intervenor Status (Request).

In his Request, Mr. Brothers states:

As part of a volunteer community effort, I am working closely with neighbors, Bill Grenny and Van Martin to analyze the pending rate case . . . We have teamed-up to inform and help the approximately fifty single-family homeowners in Park West Village NOT represented by any active HOA understand the rate case served by this docket.¹

¹ Request at p. 1.

Significantly, Mr. Brothers does not state that he is an officer or employee of the fifty single-family homeowners. To the contrary, he states, “While not vested with any specific authority, for the past twenty years I have run a neighborhood eMail list used to form loose-coalitions of neighbors actively assisting each other on various planning, zoning, engineering and regulatory issues.”²

With respect to representation by individuals, Commission rule prescribes, “Individuals who are parties to a proceeding, or officers or employees of parties, may represent their principals’ interests in the proceeding.”³ Thus, if granted intervention, Mr. Brothers may represent only himself in this proceeding, not the fifty single-family homeowners. In addition, he would not be permitted to share confidential information with the fifty single-family homeowners. Thus, the Division respectfully requests that if the Commission grants the Request, it specifically inform Mr. Brothers of the scope and limits of his participation in this docket.

Respectfully submitted this ___th day of August, 2016.

Patricia E. Schmid
*Assistant Attorney General for the
Division of Public Utilities*

² Request p. 1 (emphasis added).

³ R746-100-6(B).