Recommendation

To: Utah Public Service Commission

From: Utah Division of Public Utilities

      Chris Parker, Director

      William Duncan, Manager

      Mark Long, Utility Analyst

Date: September 4, 2018

Re: **Request for Exemption for Wilson Arch Water and Sewer Company, Docket No. 18-2605-01**

Recommendation (Approve)

The Utah Division of Public Utilities (Division) recommends that Wilson Arch Water and Sewer Company's (Wilson Arch) request for an exemption from Public Service Commission (Commission) regulation be approved and that the Commission issue Wilson Arch a Letter of Exemption.

Discussion

On or about August 13, 2018, the Commission received an Application and Exhibit for Exemption for Wilson Arch. The Division reviewed the application and found the following:

Wilson Arch is an "Active" Domestic, non-profit corporation according to the records of the Utah Division of Corporations.

Wilson Arch serves Wilson Arch Resort Community which is a subdivision with 121 residential and ten commercial customers, located 25.9 miles south of Moab, UT. Wilson Arch is currently in operation.

Wilson Arch is presently working with the Utah Division of Drinking Water (Drinking Water) to ensure its compliance with all Drinking Water requirements.

Conclusion

Wilson Arch is providing water and sewer services exclusively to its members and therefore does not meet the definition of a public utility per Utah Code § 54-2- 1(35). The Division believes that Wilson Arch meets the requirements as established by the Commission to operate free of Commission regulation and recommends that the Commission issue a Letter of Exemption to Wilson Arch.

Cc: Christina R. Sloan, sloan@thesloanlawfirm.com

  Patricia Schmid, Assistant Attorney General