

WATERPRO INCORPORATED APPLICATION

Docket No. 20-2443-01

TELECONFERENCE HEARING

July 29, 2020

ADVANCED REPORTING SOLUTIONS

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A P P E A R A N C E S

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Also Present: Joshua Bean
Darrin Jensen-Peterson

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PAUL HICKEN		
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1 July 29, 2020 11:01 a.m.

2 P R O C E E D I N G S

3 -o0o-

4 MS. HOGLE: My name is Yvonne HOGLE,
5 H-o-g-l-e. I am the commission's designated presiding
6 officer for this hearing.

7 Today is July 29th, 2020, and it is 11:00
8 in the morning. This is the date and the time set for
9 the hearing of the matter of WaterPro Incorporated's
10 application for rate increase in Docket No. 20-2443-01.
11 At this time, let's take appearances for the record
12 beginning with WaterPro.

13 MR. JENSEN-PETERSON: This is Darrin
14 Jensen-Peterson, general manager of WaterPro.

15 MS. HOGLE: Does the court reporter need
16 Mr. Jensen to spell his name?

17 COURT REPORTER: Yes, please.

18 MR. JENSEN-PETERSON: D-a-r-r-i-n
19 J-e-n-s-e-n-P-e-t-e-r-s-o-n.

20 MS. HOGLE: Mr. Jensen-Peterson, is there
21 anybody else from WaterPro?

22 MR. JENSEN-PETERSON: We should have our
23 engineering firm, Josh Bean, of Bowen Collins should be
24 on the phone.

25 MR. BEAN: I am on the line. This is Josh

1 Bean.

2 MS. HOGLE: Does the court reporter need
3 Mr. Bean to spell his name?

4 COURT REPORTER: No.

5 MR. JENSEN-PETERSON: And that's all with
6 WaterPro.

7 MS. HOGLE: Okay. Perfect. For the
8 Division, please?

9 MS. SCHMID: Patricia E. Schmid.

10 MS. HOGLE: Go ahead.

11 MS. SCHMID: Patricia E. Schmid,
12 S-c-h-m-i-d, Assistant Attorney General on behalf of
13 the Utah Division of Public Utilities. And with me is
14 the Division's witness, Paul Hicken, H-i-c-k-e-n.
15 Those are all the people who will be speaking for the
16 Division.

17 MS. HOGLE: Do we have anybody else on the
18 line? It doesn't sound like it. Okay.

19 This case has been resolved through
20 stipulation between WaterPro and the Division. And we
21 are here to give the parties an opportunity to present
22 the stipulation to the Commission. We also have a
23 public witness hearing later today at 1:00. Before we
24 begin, are there any other issues or preliminary
25 matters that we need to take care of.

1 MS. SCHMID: Yes, this is Patricia Schmid
2 for the Division. I do have a correction to one of the
3 paragraphs of this settlement agreement. It is a
4 procedural-type correction, and I'm happy to read it
5 into the record when it is appropriate.

6 MS. HOGLE: Okay. Thank you, Ms. Schmid.
7 Why don't we do that. I don't know if you are going to
8 be doing it or if Mr. Jensen-Peterson will be
9 presenting the application. But given that WaterPro is
10 going to be party in the case, why don't we start with
11 Mr. Jensen-Peterson.

12 Mr. Jensen-Peterson, I assume you will be
13 presenting the application and the stipulation today;
14 is that correct?

15 MR. JENSEN-PETERSON: Yes, I do have a
16 statement that I will be reading, yes.

17 MS. HOGLE: Okay, Mr. Jensen-Peterson, do
18 you swear to tell the truth today?

19 MR. JENSEN-PETERSON: I do.

20 MS. HOGLE: Okay. Please go ahead.

21 MR. JENSEN-PETERSON: Okay. Again, this is
22 Darrin Jensen-Peterson general manager with WaterPro,
23 and I appreciate the time you've taken today to listen
24 to us and review our current proposed rate increase and
25 stipulation settlement that has been entered and agreed

1 upon. Our last time we met before the Commission
2 seeking a rate increase was in 2017. At that time, we
3 did answer a stipulation settlement with the Division
4 and our current rates went into effect October 1, 2017,
5 which was a 5 percent rate increase across the board to
6 each of our culinary customers.

7 Being a private water utility, we have been
8 providing the residents of Draper, Utah culinary since
9 1911. It has been our mission to provide the highest
10 quality of water with fair and reasonable rates,
11 although the community dynamic has changed over the
12 years, our mission has not. Within our structure, we
13 serve both culinary and irrigation water. Currently,
14 we have approximately 8,100 culinary connections and
15 approximately 3,000 irrigation connections. The
16 Company first became incorporated serving only
17 irrigation water to farmers back in 1888.

18 Due to the rising costs of water, the
19 ability to produce water and keeping up with
20 infrastructure demands, we find ourselves today seeking
21 a 5 percent rate increase on all current culinary rates
22 to take effect as of October 1, 2020.

23 We started this process with filing our
24 application in March of this year and working with the
25 Division of Public Utilities on any and all requests

1 that they might have for us.

2 If I may say, I have appreciated each of
3 those I have worked with during this process, namely
4 Paul Hicken with the Division and Patricia Schmid with
5 the Attorney General's Office. Each and everyone of
6 them has been professional and great to work with in
7 each and every day and I am grateful for them for the
8 time that they have taken and gone out of their way
9 understanding our company.

10 We entered into a settlement on June 29,
11 2020, and I believe it is reasonable and in the
12 public's interest. The settlement reached allowed both
13 parties to minimize time and expenses to the State and
14 WaterPro, which enhanced efficiency. And the
15 settlement is just and reasonable and resolved and the
16 evidence, I believe, supports such findings.

17 We have been transparent with our customers
18 making them aware of our current proposed rate increase
19 starting in June 2020 with full disclosure of our
20 stipulation settlement and this meeting along with our
21 public hearing today. This information was sent out to
22 each of our WaterPro customers with our monthly bills
23 on July 1, 2020, e-mail blasts for those customers who
24 have declined paper bills, with our proposed rates,
25 links to the PSC and the stipulation settlement before

1 you today on our website, also starting July 1, 2020.

2 We advised any of our customers if they
3 have had any questions or concerns to please be in
4 contact with the office, and currently today we have
5 had no one contact the office directly. We are
6 committed to the community we serve to keep costs down,
7 especially during the current state we are all living
8 through.

9 We believe the rate increase before you
10 today is fair and equitable to each of our customers,
11 and it's important to the company to continue to move
12 forward giving them the best possible water and service
13 that they've come to know.

14 That's all I have for you today.

15 MS. HOGLE: Okay. Thank you,
16 Mr. Jensen-Peterson. I have one question; do you wish
17 to enter the testimony of Darrin Jensen-Peterson from
18 WaterPro on file from March 17, 2020, and the testimony
19 of Joshua Bean from WaterPro also filed on March 17,
20 2020, into the record?

21 MR. JENSEN-PETERSON: Yes.

22 MS. HOGLE: Okay. Thank you.

23 Ms. Schmid, do you have any questions?

24 MS. SCHMID: I do. Mr. Jensen-Peterson, I
25 believe there is a correction that needs to be made to

1 Paragraph 13 of the settlement agreement. I'd like to
2 read that correction to you and then ask if you would
3 read that in separate.

4 MR. JENSEN-PETERSON: Yes.

5 MS. SCHMID: Paragraph 13 would then read,
6 "WaterPro will review and revise its tariff to reflect
7 the rate increase set forth above and the parties will
8 seek approval of this updated tariff sheet. Once
9 approved, the revised tariff sheets will be available
10 along with the rest of the company's tariffs for public
11 viewing at its offices in Draper, Utah."

12 Do you agree with this correction?

13 MR. JENSEN-PETERSON: Yes, I do.

14 MS. SCHMID: Do you believe that this
15 correction will result in a just and reasonable result
16 settlement.

17 MR. JENSEN-PETERSON: I do.

18 MS. SCHMID: Thank you. That's all I have
19 for Mr. Jensen-Peterson.

20 MS. HOGLE: Okay. Thank you. Ms. Schmid,
21 do you want to put on your witness?

22 MS. SCHMID: Yes, please.

23 The Division would like to call Mr. Hicken.
24 Will Mr. Hicken please be sworn?

25 MS. HOGLE: Good morning, Mr. Hicken.

1 THE WITNESS: Good morning.

2 MS. HOGLE: Mr. Hicken, do you swear to
3 tell the truth today?

4 THE WITNESS: Yes.

5 MS. HOGLE: Okay. Please proceed.

6 DIRECT EXAMINATION

7 BY MS. SCHMID:

8 Q. Mr. Hicken, could you please state your
9 full name, employer, title and business address for the
10 record?

11 A. My name is Paul Allen, A-l-l-e-n, Hicken,
12 H-i-c-k-e-n. I work for the Division of Public
13 Utilities as a technical consultant.

14 Q. And what is the business address for the
15 Division?

16 A. I'm sorry. 160 East 300 South, No. 400,
17 Salt Lake City, Utah 84114.

18 Q. Mr. Hicken, have you participated in this
19 docket on behalf of the Division?

20 A. Yes. I was the lead auditor on this docket
21 with two other staff members.

22 Q. Did you participate in the settlement
23 negotiations and development of this limited
24 settlement?

25 A. Yes. I did a review of the findings for

1 the Division. I participated in the settlement
2 discussion with the company's general manager and with
3 the Division -- with my managers at the Division and
4 with the Division's attorney.

5 Q. Mr. Hicken, I have a proposed correction to
6 Paragraph 13 of the stipulation. I'd like to read that
7 to you, and then I will ask you if you believe it is
8 accurate and if it will result in a just and reasonable
9 settlement and be in the public interest.

10 A. Okay.

11 Q. The corrected Paragraph 13 will read,
12 "WaterPro will review and revise its tariff to reflect
13 the rate increase set forth above and the parties will
14 seek approval of the updated tariff sheet. Once
15 approved, the revised tariff sheet will be available
16 along with the rest of the company's tariff for public
17 viewing at its offices in Draper Utah."

18 Mr. Hicken, do you agree that the
19 correction proposed is correct?

20 A. Yes. Those are correct statements.

21 Q. With Paragraph 13 corrected, do you believe
22 that the settlement is just and reasonable in result?

23 A. Yes, I do.

24 Q. Mr. Hicken, do you have a statement to read
25 into the record today in support of the settlement?

1 A. Yes, I do.

2 Q. Would you read --

3 A. I will go ahead now.

4 Q. Thank you.

5 A. On January 31st of 2020, WaterPro
6 Incorporated notified the Commission of its intent to
7 file a petition for a general rate increase of its
8 culinary water rates. On March 6, 2020, the Commission
9 received a comprehensive general rate increase
10 application from WaterPro.

11 On March 20th of 2020, the Commission
12 issued a scheduling order notice of hearing and notice
13 of public witness hearing. The Division's initial
14 review of the application found it to be substantially
15 complete.

16 On June 9th of 2020, the Division filed a
17 motion to suspend the procedural schedule retaining the
18 hearing date pending the parties' agreement to
19 stipulation. On June 30th of 2020, the Division filed
20 for the settlement stipulation with the Commission.
21 The Division reviewed the application and the initial
22 documentation, which included approximately 15
23 appendixes and 6 exhibits. The application proposed a
24 5 percent increase to all base rates and tiered rates
25 in WaterPro's service areas. The Division also

1 reviewed annual reports, consolidated audit reports and
2 summaries of expenses and revenues.

3 Funding and request set of 17 questions was
4 sent to the company in March seeking further
5 information and documentation. This was followed by
6 several phone calls and e-mails to clarify the
7 responses. The Division notes that the company was
8 cooperative and timely with their responses, which were
9 helpful to further explain the issues. The company's
10 annual reports indicate a modest decrease in net
11 revenues totaling approximately \$61,000 over the last
12 three years. By this measure, the company could have
13 requested a larger rate increase. According to the
14 revenue calculation model used by the Division, a
15 5 percent increase in rates would yield approximately
16 \$295,350 in additional revenue when applied to the 2019
17 year-end counting.

18 The increase is needed to make capital
19 improvements and provide maintenance necessary to
20 continue the current level of service and efficiency
21 for existing customers and is not intended for new
22 service connections. The company projects that without
23 the increase it will operate in a deficit for the next
24 few years. The Division believes this is a
25 conservative request and is just and reasonable and in

1 the public request. The model would have supported a
2 higher rate increase, but the increase -- but in the
3 interest of their customers, the company is only
4 requesting a 5 percent increase.

5 The Company and the Division met recently
6 to discuss the Division's findings and conclusions.
7 The settlement reached allowed the parties to minimize
8 time and expense to the State and the Company and
9 enhance administrative efficiency. Based on the
10 completed review, reviews of expense, revenue,
11 depreciation and other operations, the Division
12 concludes that the company's proposed rate increase is
13 just and reasonable and in the public request. The
14 Division believes the criteria for a settlement has
15 been met as noted in DCA 547-1. And therefore,
16 recommends the Commission accept the settlement
17 stipulation as filed with the Commission on June 30,
18 2020, and approve the requested rate increase with an
19 effective date of October 1, 2020. Thank you.

20 **Q. Mr. Hicken, I just have a question about --**
21 **at the correction I made for the proposed settlement.**
22 **Is it your testimony today that the proposed settlement**
23 **as corrected is just and reasonable in results**
24 **supported by the evidence and is in the public**
25 **interest?**

1 A. Yes. Yes. It is.

2 Q. Thank you.

3 MS. SCHMID: The Division has nothing
4 further.

5 MS. HOGLE: Thank you, Ms. Schmid.
6 Mr. Jensen-Peterson, do you have any questions for
7 Mr. Hicken?

8 MR. JENSEN-PETERSON: I do not.

9 MS. HOGLE: Okay. Thank you. I have one
10 question, and I'm not sure this is for Mr. Hicken or
11 Ms. Schmid, but either one of them can respond.

12 There were comments from the Division of
13 Public Utilities filed in this docket March 23, 2020.
14 Does Mr. Hicken wish to adopt those comments as his own
15 and have it entered into the record?

16 MS. SCHMID: Mr. Hicken, can you please
17 answer that question?

18 THE WITNESS: Are you referring to the
19 comments from a customer regarding the rate increase?

20 MS. HOGLE: The comments that were filed by
21 the Division of Public Utilities on March 23, 2020.

22 THE WITNESS: Oh, yes. I wish to have
23 those entered into the record.

24 MS. HOGLE: Okay. Thank you. And then I
25 have another question for both parties, really. As I

1 was reading the stipulation, I read a paragraph that
2 referenced Attachment 1, and I believe those were
3 updated tariff sheets. However, I don't think anything
4 was appended to that stipulation, and I wondered if
5 they were filed -- but subsequently to when the
6 stipulation was filed or -- and I may have missed them.
7 Either of the parties can address that question,
8 please.

9 MS. SCHMID: If I may address that, I would
10 like to.

11 MS. HOGLE: Okay.

12 MS. SCHMID: This is Patricia Schmid. The
13 corrected Paragraph 13 reflects that the tariff sheets
14 were not attached to the stipulation and that they will
15 be prepared and will be submitted to the commission.
16 It was my error.

17 MS. HOGLE: Okay. Thank you, Ms. Schmid.
18 And I guess my follow-up question to that is; will the
19 Division of Public Utilities be filing a corrected
20 settlement stipulation then with the updated tariff
21 sheets sometime soon?

22 MS. SCHMID: Yes, we will. Thank you.

23 MS. HOGLE: Okay. Is that going to be
24 maybe sometime this week?

25 MS. SCHMID: If we can go off the record

1 for just one moment?

2 MS. HOGLE: Okay. Let's go off the record,
3 please.

4 (Off the record.)

5 MS. HOGLE: Let's get back on the record,
6 please. All right. We were off the record. Now we
7 are back on the record.

8 Mr. Hicken, I have a question regarding the
9 amended stipulation; when do you think that the
10 commission can receive your amended stipulation for
11 consideration, including the updated tariff sheet?

12 THE WITNESS: I think I could provide that
13 sometime tomorrow morning.

14 MS. HOGLE: Okay. Perfect. Is there
15 anything else that we need to take care of before we
16 adjourn and come back at 1:00?

17 MR. JENSEN-PETERSON: I have nothing. This
18 is Darrin with WaterPro.

19 MS. HOGLE: Ms. Schmid?

20 MS. SCHMID: The Division has nothing
21 further.

22 MS. HOGLE: Okay. Thank you, everybody.
23 Does the reporter have everything that she needs?

24 COURT REPORTER: Yes, I do. Thank you.

25 MS. HOGLE: And thank you. And then we

1 will adjourn and come back at 1:00 for the public
2 witness portion. Thank you.

3 MR. JENSEN-PETERSON: Thank you.

4 THE WITNESS: Thank you.

5 MS. SCHMID: Thank you.

6 MR. BEAN: Thank you.

7 (Adjourned at 11:25 a.m.)

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REPORTER'S CERTIFICATE

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

I, ABIGAIL D.W. JOHNSON, a Certified
Shorthand Reporter and Registered Professional
Reporter, hereby certify:

THAT the foregoing proceedings were
taken before me at the time and place therein set
forth, at which time the witness was placed under oath
to tell the truth, the whole truth, and nothing but the
truth; that the proceedings were taken down by me in
shorthand and thereafter my notes were transcribed
through computer-aided transcription; and the foregoing
transcript constitutes a full, true, and accurate
record of such testimony adduced and oral proceedings
had, and of the whole thereof.

I FURTHER CERTIFY that I am not a
relative or employee of any attorney of the parties,
nor do I have a financial interest in the action.

I have subscribed my name on this
3rd day of August, 2020.



ABIGAIL D.W. JOHNSON, RPR, CRR, CRC

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