

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Investigation of the )  
Operations of LONG VALLEY ESTATES )  
WATER COMPANY as )  
a Public Utility )

DOCKET NO. 03-2265-01  
REPORT AND ORDER  
CERTIFICATE NUMBER 2265

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ISSUED: December 4, 2003

By the Commission:

On September 2, 2003, Long Valley Estates Water Company ("Long Valley" of "Applicant") filed an Application with this Commission requesting a Certificate of Public Convenience and Necessity authorizing it to provide service as a water utility. Long Valley had previously applied for a letter of exemption from regulation. That previous application was the subject of proceedings in docket number 98-2256-01, including an investigation by the Division of Public Utilities into the operations of Long Valley. The earlier application has been abandoned in favor of this application for a Certificate of Public Convenience and Necessity to provide culinary water service.

Long Valley has been providing water service for a number of years at no charge to its customers. The application herein requests approval of a flat \$15 monthly charge for water service.

The Division of Public Utilities ("Division") filed a memorandum containing the results of its investigation and its recommendation in this docket and also in docket 98-2256-01.

The Division recommends that the requested certificate be issued and that the proposed monthly water rate be approved with billing on a quarterly basis.

The operations of Long Valley have been the subject of investigation and hearings in docket number 98-2256-01. The evidence in that matter showed no opposition from the company or customers to Commission regulation. No other provider operates in the proposed service area. This matter appears ripe for adjudication without hearing; accordingly we choose to convert the matter to an informal proceeding. We conclude, as a matter of law, that the Application should be granted. Accordingly, we enter the following

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. This matter be, and it hereby is, converted to an informal proceeding pursuant to §§ 63-46b-4 and 63-46b-5, *Utah Code Annotated*.
2. LONG VALLEY ESTATES WATER COMPANY is hereby granted Certificate of Convenience and Necessity No. 2265 to operate as a water corporation serving the Long Valley Ranch subdivision in Kane County, State of Utah, as specifically identified in Exhibit "H" to the Application in this matter.
3. Applicant's proposed flat rate of \$15.00 per month for water service is approved. Applicant is granted a waiver of Commission Rule 746-200-4(A), and may bill its customers on a quarterly basis.
4. Applicant shall comply with all requirements of the Utah Division of Drinking Water.
5. Applicant shall file a tariff within 30 days of the date of this Order.

6. Any person aggrieved by this Order may petition the Commission for review/rehearing pursuant to the *Utah Administrative Procedures Act, Utah Code Ann. §63-46b-1 et seq.* Failure so to do will preclude judicial review of the grounds not identified for review. *Utah Code Ann. §54-7-15.*

DATED at Salt Lake City, Utah, this 4<sup>th</sup> day of December, 2003.

/s/ Douglas C. Tingey  
Administrative Law Judge

Approved and Confirmed this 4<sup>th</sup> day of November, 2003, as the Report and Order of the Public Service Commission of Utah.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/Julie Orchard  
Commission Secretary

G#36199