

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Tariff Filing )  
of HARMONY MOUNTAIN )  
RANCH WATER COMPANY )  
ASSOCIATION

DOCKET NO. 05-2428-T01

ORDER REJECTING TARIFF

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ISSUED: March 16, 2005

SYNOPSIS

Applicant, having filed a tariff that does not comply with previous Commission order, we reject the same.

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By the Commission:

On May 13, 2004, in Docket No. 04-2428-01, the Commission issued its Report and Order (“2004 Order”) granting Harmony Mountain Ranch Water Company Association (“Harmony Mountain Ranch”) a certificate of convenience and necessity to operate as a water corporation and requiring Harmony Mountain Ranch to file a tariff consistent with the proposed tariff provisions contained in its certificate Application. On January 27, 2005, Harmony Mountain Ranch filed its tariff with the Commission. On March 3, 2005, the Division of Public Utilities (“Division”) filed its recommendation that the Commission reject the tariff because of its failure to comply with the terms of the 2004 Order.

Specifically, the Division determined that while our 2004 Order approved the Application originally submitted by Harmony Mountain Ranch seeking an \$1,800.00 connection fee and a \$10.00 standby fee, the tariff submitted on January 27, 2005, specified connection and standby fees of \$2,200.00 and \$60.00, respectively. While not affecting the Division’s recommendation, the Division also noted that the filed tariff does not reference or include the \$30.00 turn-on fee or the twelve percent (12%) late fee originally specified in the Application.

Having reviewed the Harmony Mountain Ranch filing and the Division’s recommendation, we adopt the Division’s analysis and findings as our own. Therefore, having been fully advised in the premises, we enter the following

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- The tariff filed by HARMONY MOUNTAIN RANCH WATER COMPANY ASSOCIATION on January 27, 2005, is rejected.
- HARMONY MOUNTAIN RANCH WATER COMPANY ASSOCIATION shall file a tariff, consistent with the proposed tariff provisions in Docket No. 04-2428-01 and this Order, within thirty (30) days of the date of this Order.
- Pursuant to Utah Code 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 16<sup>th</sup> day of March, 2005.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

G#43272