

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Formal Complaint of  
Marian Seamons against Ticaboo Utility  
Improvement District

DOCKET NO. 15-2508-01

ORDER ON MOTION FOR LEAVE  
TO AMEND FORMAL COMPLAINT  
AND TO STAY COMPLAINANT'S  
FINAL REPLY DEADLINE

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ISSUED: February 18, 2016

On December 18, 2015, Marian Seamons filed a formal complaint against Ticaboo Utility Improvement District (TUID), a public utility.

On December 29, 2015, the Utah Division of Public Utilities (Division) filed comments in this docket. In brief, the Division recommended that no action be taken on the complaint, due to its being incomplete and failing to specify the relief sought.

On January 20, 2016, TUID filed a response to the complaint. In the response, TUID represented that the utility has made good-faith efforts to provide Ms. Seamons with information she has requested at various times. TUID attached to its response copies of the records it has provided to Ms. Seamons.

On February 4, 2016, Jon M. Hogelin notified the Public Service Commission of Utah that he would be assisting Ms. Seamons as counsel of record going forward. In light of the Division's comments, Mr. Hogelin requested the opportunity to amend Ms. Seamons's complaint. Mr. Hogelin also requested that Ms. Seamons's final reply deadline of February 5, 2016 be stayed. On February 10, 2016, Mr. Hogelin filed motions to bring his requests into the record.<sup>1</sup>

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<sup>1</sup> Mr. Hogelin's motions were filed electronically on February 10, 2016. The Commission received physical copies on February 17, 2016.

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Also on February 10, 2016, the presiding officer e-mailed TUID and the Division to determine whether either party wished to object or otherwise respond to Ms. Seamons's motions. Both parties stated that they neither objected nor wished to respond.<sup>2</sup>

ORDER

Ms. Seamons shall file with the Commission an amended complaint no later than **Thursday, March 10, 2016**. Ms. Seamons's final reply deadline of February 5, 2016 is vacated. This docket shall proceed according to the following schedule:

1. TUID shall file its response to Ms. Seamons's amended complaint no later than **Friday, April 8, 2016**.
2. Ms. Seamons shall file her final reply no later than **Friday, April 22, 2016**.

DATED at Salt Lake City, Utah, February 18, 2016.

/s/ Jennie T. Jonsson  
Administrative Law Judge

Attest:

/s/ Gary L. Widerburg  
Commission Secretary  
DW#271930

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<sup>2</sup> The e-mails among the presiding officer, the Division, Mr. Hogelin, and TUID are attached hereto as Exhibit A.

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EXHIBIT A



Jennie Jonsson <jjonsson@utah.gov>

**Fwd: Formal Complaint 15-2508-01**

PublicService Commission <psc@utah.gov>  
To: Jennie Jonsson <jjonsson@utah.gov>

Wed, Feb 10, 2016 at 9:39 AM

----- Forwarded message -----

From: Jon M. Hogelin <jon@lakeyhogelin.com>  
Date: Thu, Feb 4, 2016 at 9:25 AM  
Subject: Formal Complaint 15-2508-01  
To: psc@utah.gov

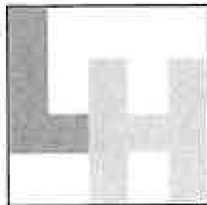
To Whom It May Concern:

I was recently retained by Marian Seamons concerning her formal complaint, #15-2508-01. It is my understanding that tomorrow, February 5, is the deadline for her to reply to TUID's response. I am seeking an extension and would like to request an extension to file Ms. Seamons Reply. Further, I am also seeking permission to amend Ms. Seamons formal complaint, if possible. I appreciate the time need to review my requests and look forward to a response. I can be contacted at the information below. Thank you.

Best,

Jon M. Hogelin

Attorney at Law



LAKEY | HOGELIN, PLLC  
2545 N. Canyon Rd., Suite 100  
Provo, UT 84604  
Telephone: (801)770-0900 | Fax (801) 877-2480  
jon@lakeyhogelin.com | www.lakeyhogelin.com

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Jennie Jonsson <jjonsson@utah.gov>

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## Fwd: Notice of Appearance and Motion for Leave

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PublicService Commission <psc@utah.gov>

Wed, Feb 10, 2016 at 10:08 AM

To: Jennie Jonsson <jjonsson@utah.gov>

Here you go.

----- Forwarded message -----

From: **Jon M. Hogelin** <jon@lakeyhogelin.com>

Date: Thu, Feb 4, 2016 at 3:59 PM

Subject: Notice of Appearance and Motion for Leave

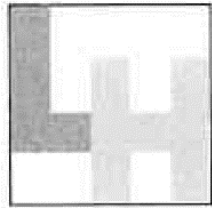
To: psc@utah.gov, ticabooUID@gmail.com

Please attached the Notice of Appearance, Motion for Leave to Amend Formal Complaint, and Motion for Stay.  
Thank you.

Best,

Jon M. Hogelin

Attorney at Law



LAKEY | HOGELIN, PLLC

2545 N. Canyon Rd., Suite 100

Provo, UT 84604

Telephone: (801)770-0900 | Fax (801) 877-2480

jon@lakeyhogelin.com | www.lakeyhogelin.com

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**2016.02.04 Motion for Leave.pdf**

89K



Jennie Jonsson <jjonsson@utah.gov>

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## Fwd: Notice of Appearance and Motion for Leave

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Jennie Jonsson <jjonsson@utah.gov>

Wed, Feb 10, 2016 at 10:53 AM

To: jon@lakeyhogelin.com, Chip Shortreed <chipshortreed@ticabooid.com>, Erika Tedder <etedder@utah.gov>

Cc: Laurie Harris Wirz <laurieharris@utah.gov>

Mr. Shortreed and Ms. Tedder,

Does either of you wish to object or otherwise respond to Mr. Hogelin's motions? If so, I will issue a scheduling order.

Mr. Hogelin,

Please note that your filing has not been docketed. The Commission wishes to receive paper copies and will update the docket on receipt.

Thank you,  
Jennie T. Jonsson  
Administrative Law Judge  
Utah Public Service Commission

----- Forwarded message -----

From: **Jon M. Hogelin** <jon@lakeyhogelin.com>  
Date: Thu, Feb 4, 2016 at 3:59 PM  
Subject: Notice of Appearance and Motion for Leave  
To: psc@utah.gov, ticabooUID@gmail.com

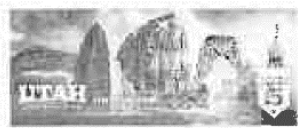
Please attached the Notice of Appearance, Motion for Leave to Amend Formal Complaint, and Motion for Stay. Thank you.

Best,

Jon M. Hogelin

Attorney at Law





Jennie Jonsson <jjonsson@utah.gov>

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## Fwd: Notice of Appearance and Motion for Leave

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Adam Long <ALong@shutah.law>

Thu, Feb 11, 2016 at 8:00 AM

To: "jjonsson@utah.gov" <jjonsson@utah.gov>

Cc: "J. Craig Smith" <jcsmith@shutah.law>, "chipshortreed@ticaboouid.com" <chipshortreed@ticaboouid.com>

Ms. Jonsson,

Smith Hartvigsen will be representing Ticaboo Utility Improvement District in this matter; I'll file a formal notice of appearance today. TUID does not intend to respond or object to Mr. Hogelin's motions.

Adam S. Long

Attorney

(download vCard)



SMITH HARTVIGSEN

PLLC

175 S. Main Street, Suite 300

Salt Lake City, Utah 84111

801-413-1600

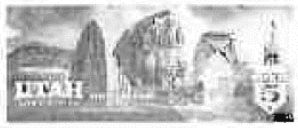
801-413-1620 fax

877-825-2064 toll free

along@smithlawonline.com

www.smithhartvigsen.com

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Jennie Jonsson <jjonsson@utah.gov>

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## Fwd: Notice of Appearance and Motion for Leave

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Erika Tedder <etedder@utah.gov>

Thu, Feb 11, 2016 at 12:14 PM

To: Jennie Jonsson <jjonsson@utah.gov>

Cc: "Martinez, Marialie" <marmartinez@utah.gov>, "Tedder, Erika" <etedder@utah.gov>

We have no objections.

Have a safe and healthy day,

Erika Tedder  
Office Specialist  
Division of Public Utilities  
(801)-530-6653

*Business hours are 8:00 a.m. - 5:00 p.m., Monday-Friday*

[Quoted text hidden]

CERTIFICATE OF SERVICE

I CERTIFY that on February 18, 2016, a true and correct copy of the foregoing was served upon the following as indicated below:

By U.S. Mail:

Marian Seamons  
1707 S 50 E  
Orem, UT 84058

Jeffs and Jeffs  
90 N 100 E  
Provo, UT 84601

By E-Mail:

[sharonmarian@yahoo.com](mailto:sharonmarian@yahoo.com)

Chip Shortreed ([chipshortreed@ticabooid.com](mailto:chipshortreed@ticabooid.com))  
Ticaboo Utility Improvement District

Patricia Schmid ([pschmid@utah.gov](mailto:pschmid@utah.gov))  
Justin Jetter ([jjetter@utah.gov](mailto:jjetter@utah.gov))  
Rex Olsen ([rolsen@utah.gov](mailto:rolsen@utah.gov))  
Assistant Utah Attorneys General

By Hand-Delivery:

Division of Public Utilities  
160 East 300 South, 4<sup>th</sup> Floor  
Salt Lake City, Utah 84111

Office of Consumer Services  
160 East 300 South, 2<sup>nd</sup> Floor  
Salt Lake City, Utah 84111

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Administrative Assistant