

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of Deepwater )  
Distribution Company, Inc. for Exemption ) DOCKET NO. 86-999-08  
) NOTICE OF HEARING  
)  
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ISSUED: October 21, 2009

By The Commission:

Notice is hereby given that a hearing on the Commission's grant of Deepwater Distribution Company's (Company) Request for Review and Rehearing will be conducted by the Administrative Law Judge of the Public Service Commission on **Monday, November 9, 2009, at 9:00 a.m.**, Fourth Floor Hearing Room 451, Heber M. Wells State Office Building, 160 East 300 South, Salt Lake City, Utah. Commission will hear argument on the following:

1. The Division of Public Utilities, in their July 14, 2009 Recommendation, stated that it recommended denial of the exemption because of its concerns with "the lack of specificity concerning potential shareholders" and with the concern that the Company had allegedly not "provided meaningful information concerning the number of potential connections." The parties should address whether there is a lack of specificity concerning potential shareholders, and, if the lack of specificity exists, whether it is even relevant given the structure of the Company (i.e. if only shareholders may receive service does it matter that there is an unknown potential for shareholders);
2. The parties should address or respond to Argument C of the Company's Request for Agency Review and Rehearing (i.e. "Even Assuming a Commonality of

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Interest Rule Should Apply, Deepwater Clearly Qualifies for Exemption from PSC Regulation);

3. Parties may address or respond to any issues raised in the Company's Request for Agency Review and Rehearing.

Each party shall ensure that any witnesses, or other evidence it desires to present to the Commission shall be available at the hearing. However, counsel may present witness testimony via proffer.

Individuals wishing to participate by telephone should contact the Commission at least two to three days prior to the hearing to make arrangements. On the day of the hearing, participants must call in to (801) 530-6716 or call toll-free 1-866-PSC-UTAH (1-866-772-8824) at least five minutes prior to the beginning of the hearing to ensure participation.

In accordance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify Julie Orchard, Commission Secretary, at 160 East 300 South, Salt Lake City, Utah 84111, (801) 530-6713, at least three working days prior to the hearing.

DATED at Salt Lake City, Utah, this 21<sup>st</sup> day of October, 2009.

/s/ Julie Orchard  
Commission Secretary  
G#64072