



be materially affected by the decisions made by the commission with regard to this application. As the commission is well aware, one of the main issues before it, is the institutionalization of rates to be charged people and entities like these intervenors. At this point, the applicants have provided answers in response to the majority of the discovery requests DJI and CCD have made, but have not provided responses to them all. This places DJI and CCD in a very prejudicial position.

Without adequate notice, time to prepare, and opportunity to review pertinent information an informed decision cannot be made and these intervenors, along with all others impacted by the decision of the commission, will be prejudiced.

Finally, Mr. Snuffer has learned this week that an emergency hearing is scheduled in the Fourth District Court for the morning of the 19<sup>th</sup>, which will prevent him from participating in the hearing. Therefore, he would like a continuance so that he can be present when the matter is heard.

Intervenors do not ask for much time, only enough to adequately prepare and receive the documents requested. Three to four weeks should be sufficient. A continuance of that nature or that short a time, does not materially prejudice the applicants in any way. Therefore, DJI and CCD respectfully request this commission to continue the hearing set for July 19<sup>th</sup> in accordance with the foregoing.

Respectfully submitted this 15<sup>th</sup> day of July, 2005.

---

Denver C. Snuffer, Jr.  
Daniel B. Garriott  
Attorneys for D.J. Investments, L.C. and Concerned Citizens of Draper

### **Certificate of Service**

I certify that on July 15, 2005 I mailed, postage prepaid, or emailed a true and correct copy of the foregoing Motion to Continue to the following:

James R. Kruse

Kevin C. Timken  
Kruse Landa Maycock & Ricks  
50 West Broadway, #800  
Salt Lake City, Utah 84145  
[jkruse@klmlaw.com](mailto:jkruse@klmlaw.com)  
[ktimken@klmlaw.com](mailto:ktimken@klmlaw.com)

Patricia Schmid  
Assistant Attorney General  
160 East 300 South, Fifth Floor  
Salt Lake City, Utah 84111  
[pschmid@utah.gov](mailto:pschmid@utah.gov)

---

Denver C. Snuffer, Jr.