

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Proposed Amended)
Rate Increase for Bridgerland Water)
Company)

DOCKET NO. 05-001-T02
REPORT AND ORDER

ISSUED: April 24, 2006

By The Commission:

PROCEDURAL HISTORY

On August 26, 2005, in Docket No. 05-001-T01, the Commission issued its Report and Order approving a proposed rate increase for Bridgerland Water Company (the "Company"). On December 8, 2005, the Company notified the Division of Public Utilities ("Division") that the Company had inadvertently failed to include a late fee charge in the Commission-approved tariff and filed a revised tariff including said late fee. On January 5, 2006, the Division filed a memorandum recommending approval of the revised tariff.

On April 11, 2006, hearing in this matter was held before the Administrative Law Judge. Ted Wilson, owner and manager of Bridgerland, appeared and testified on behalf of the Company. Patricia Schmid, Assistant Attorney General, appeared for the Division. Mr. Bruce Moio, utility analyst, testified on behalf of the Division.

DISCUSSION

The Company's proposed tariff language regarding the late fee is as follows: "A late fee of 1.5% per month will be charged on any account which is 30 days past due from billing date." The Company states the purpose of the proposed fee is not to generate revenue for the

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Company but to motivate customers to pay their bills on time. Having reviewed the Company's revised tariff, the Division determined the proposed fee to be just and reasonable, and in the public interest. The Division notes many small water companies in Utah charge a similar, Commission-approved late fee and recommends the Commission approve said fee in this docket.

Based on the foregoing information, and for good cause appearing, the Administrative Law Judge, having been fully advised in the matter, now enters the following Report, containing proposed findings of fact, conclusions of law, and the Order based thereon.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Bridgerland Water Company is a certificated water corporation operating in the State of Utah, subject to Commission jurisdiction.
2. The late fee proposed by the Company, and recommended by the Division, is just and reasonable, and in the public interest.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Bridgerland Water Company's proposed late fee is approved as set forth *supra*, effective the date of this Order.
2. Bridgerland Water Company shall submit revised tariff sheets reflecting the new rate. The Division of Public Utilities shall review the revised tariff sheets for compliance with this Report and Order.
3. Pursuant to *Utah Code Annotated* §§ 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

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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 Annotated* §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

Dated at Salt Lake City, Utah, this 24th day of April, 2006.

/s/ Steven F. Goodwill
Administrative Law Judge

Approved and Confirmed this 24th day of April, 2006, as the Report and Order of the Public Service Commission of Utah.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard,
Commission Secretary

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