

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Request of Pineview )  
West Water Company for Approval of a ) DOCKET NO. 08-2438-01  
Special Assessment and Rate Increase ) ORDER OF BIFURCATION  
)

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ISSUED: January 27, 2009

By The Commission:

Pineview West Water Company (Company) filed its Request for Approval of a Rate Increase and Special Assessment on November 20, 2008. The Division of Public Utilities (Division) commenced a preliminary compliance audit. Some of the information is still forthcoming needed to review for the rate increase, but the information needed for the special assessment is completed.

On January 22, 2009, a duly noticed hearing was held on the special assessment. Patricia Schmid, Assistant Attorney General, appeared for the Division. Mark Long, Utility Analyst, and Shauna Benvegna-Springer, Utility Analyst, testified on behalf of the Division. Bryan Bryner of Smith Hartvigsen, PLLC appeared for the Company. June Anderson and Nathan Brockbank testified for the Company. Peter Turner, a public witness, testified and appeared telephonically. Mrs. Velma Reeder also a public witness, testified at the hearing.

The Administrative Law Judge (ALJ), during the hearing, commented that the Company had requested bifurcation, so as to allow for treatment of the special assessment on an expedited basis, and allowing the rate increase to proceed in its normal course. The ALJ also commented that the Division had recommended bifurcation. The ALJ asked if there were any objections to bifurcation, and were raised by any party, public witnesses included.

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Due to the pressing need to meet past-due obligations of the Company, and need to treat the special assessment immediately, the Commission finds that the bifurcation is just and reasonable and in the public interest. Therefore the Commission orders as follows:

**ORDER**

This matter is bifurcated into the special assessment and the rate case. The special assessment will retain Docket No. 08-2438-01. The rate case shall be assigned Docket No. 09-2438-01. Parties shall file future filings in the appropriate docket. Pursuant to Utah Code § 63G-4-301 and 54-7-15, an aggrieved party may request agency review or rehearing of this Order by filing a written 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 does not 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 §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 27<sup>th</sup> day of January, 2009.

/s/ Ruben H. Arredondo  
Administrative Law Judge

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Approved and confirmed this 27<sup>th</sup> day of January, 2009, as the Order of  
Bifurcation of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary  
G#60466