

Trixie Behr - Fwd: Hidden Creek Water Co. Docket No. 09-2440-01

From: Ruben Arredondo
To: Behr, Trixie
Date: 4/12/2010 11:33 AM
Subject: Fwd: Hidden Creek Water Co. Docket No. 09-2440-01
Attachments: Tracy Tanner.vcf

UTAH PUBLIC
SERVICE COMMISSION

2010 APR 12 A 11:48

274388

RECEIVED

Will you file this in the Hidden Creek docket please? Docket No. 09-2440-01

>>> Tracy <[REDACTED]> 4/12/2010 11:25 AM >>>

Dear Judge Arredondo,

I would like to first apologize for any mistakes I may have made as to any procedures, rules, etc. regarding the notice letter sent to our customers dated April 1, 2010 regarding notice of the April 22, 2010 technical conference that is set to happen at the Heber Wells Building at 10 a.m. I understood that the notice letter needed to include the specific verbiage outlined in the Order of Stay and Order of Technical Conference but did not understand that I could not or should not communicate any other information to our customers in that notice. You were correct in stating in that order that the company officers (myself in the case of preparing the notice) may not be completely familiar with the administrative and legal process and might not have understood the Commission's order clearly. I will clarify to the customers that mistake of mine as per your instructions at the technical conference.

On another matter, Hidden Creek Water Company would like to formally object to the Commission's Order of Stay and Order of Technical Conference dated March 25, 2010 wherein it states in the last paragraph that the Commission "will" set a hearing, with time for public witness testimony....." The water company understood that the original hearing held this past January 20, 2010 was for that very purpose. It is the water company's position that proper and adequate notice was given to all customers of Hidden Creek Water Company regarding the January 20, 2010 hearing on each customer's Jan. 1, 2010 invoice as per the specific instructions received from the Division as to how the company noticed each customer. The fact that most customers paid their Jan. 1, 2010 invoice provides ample evidence that they did indeed receive those invoices which included notice of the hearing. The Commission has not as of this date (to the water company's knowledge) made a legal finding that improper and/or inadequate notice was made by the water company to it's customers regarding the Jan. 20, 2010 public hearing. In fact, the transcript of that public hearing confirms my answer to you that I had indeed noticed every customer on their Jan. 1, 2010 invoices.

The water company is fully prepared to comply with the Commission's

requirement to hold a technical conference in order to satisfy any questions it's customers may have to more fully understand the compelling need for a substantial rate increase to insure the long term financial health and sustainability of the water company, however further delay in implimenting the new rate structure approved in the Commission's REPORT AND ORDER dated February 9, 2010 will place undue financial hardship on the water company. The Division completed a very thorough, professional and efficient audit and analysis of the water company over a six month period of time and the record will reflect that the water company was fully cooperative during that process.

We ask that the Commission take into consideration the very small size of the water company and it's customer base and the prolonged period of time (11+ years) that the water company has subsidized it's operations in behalf of it's customers.

We respectfully ask that the Commission reserve the right to sustain it's original REPORT AND ORDER without an additional hearing or further delay after the technical conference is completed.

Respectfully,

Tracy Tanner

[REDACTED]