

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Request for a Rate)
Increase of Hidden Creek Water Company) DOCKET NO. 09-2440-01
) REPORT AND ORDER AND
) NOTICE OF SCHEDULING
) CONFERENCE
)

ISSUED: May 13, 2010

By The Commission:

REQUEST FOR ATTORNEYS FEES

This matter is before the Commission on one of the ratepayer/intervenor's (Brett Scharffs) request for the Commission to order Hidden Creek Water Company to provide "reasonable and customary attorneys fees so the customers . . . can hire an attorney to represent their interests." *See Request to Intervene, Brett G. Scharff's, April 16, 2010, p.7.* The intervenor provides the Commission with no basis, and the Commission is not aware of any basis, upon which to order such a payment of attorney's fees. The request is denied.

REPORT OF TECHNICAL CONFERENCE

A technical conference was held on April 22, 2010. Tracy Tanner and Jason Tanner from the company were present. There were about 12 ratepayers in attendance. The technical conference was also streamed live on the internet. The company made a brief presentation to the ratepayers concerning the need for a rate increase and also answered some questions from the ratepayers. The company also answered all the questions the Commission directed it to answer in its April 20, 2010 order. The Division of Public Utilities also appeared and made a brief summary of its recommendation concerning the need for a rate increase. The Division was represented by assistant attorney general Patricia Schmid. Some of the ratepayers

were represented by counsel, David. C. Wright. Mr. Wright asked questions of the water company representatives at the technical conference and other ratepayers were permitted to ask questions at the technical conference. The administrative law judge directed Mr. Wright to enter his appearance after the technical conference, and to state which ratepayers he represented. No appearance has been made. Therefore, the Commission assumes Mr. Wright will not be making an appearance on behalf of any of the intervenors at this time. The Commission gives notice to the parties and intervenors that it will set a scheduling conference in this matter to move it forward.

NOTICE OF SCHEDULING CONFERENCE

Notice is hereby given that a scheduling conference in the above entitled matter will be conducted by the administrative law judge of the Public Service Commission of Utah on **Wednesday, May 26, 2010 at 4:00 p.m., on the fourth floor Room 401**, Heber M. Wells State Office building, 160 East 300 South, Salt Lake City, Utah. The parties and intervenors shall be prepared to offer their proposed schedules for conducting any discovery and for setting a hearing on the proposed rate increase and setting public witness testimony on the proposed rate increase.

Individuals wishing to participate by telephone should contact the Public Service Commission two days in advance by calling (801) 530-6716 or call toll-free 1-866-PSC-UTAH (1-866-772-8824). Participants attending by telephone should then call the Public Service Commission **five minutes prior** to the conference to ensure participation.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during any

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proceeding should notify Julie Orchard, Commission Secretary, at 160 East 300 South, Salt Lake City, Utah 84111, (801) 530-6716, at least three working days prior to the hearing.

DATED at Salt Lake City, Utah, this 13th day of May, 2010.

/s/ Ruben H. Arredondo
Administrative Law Judge

Attest:

/s/ Julie Orchard
Commission Secretary
G#66720