

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of: The Formal )  
Complaint of James and Dawn )  
Martell; Robert Kimball; Frank )  
and Pat Cumberland; Larry and )  
Sharon Zini; David and Marsha )  
Smith, *et al.* vs Mountain Sewer )  
Corporation )

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Docket No:  
11-097-01

In the Matter of: Ronald J. )  
Catanzaro's Notice of Intent to )  
Sell Mountain Sewer Corporation )  
And Lakeview Water Corporation )

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Docket No.  
11-097-02  
Re: 11-540-01

In the Matter of: The Notice of )  
Intent of Mountain Sewer )  
Corporation to File a General )  
Rate Case )

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Docket No.  
11-097-03

TRANSCRIPT OF HEARING PROCEEDINGS

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TAKEN AT: Public Service Commission  
160 East 300 South  
Salt Lake City, Utah

DATE: July 19, 2012

TIME: 9:12 a.m.

REPORTED BY: Kelly L. Wilburn, CSR, RPR

APPEARANCES

Presiding:

**DAVID CLARK**, Hearing Officer

-oOo-

For Mountain Sewer:

**J. CRAIG SMITH, ESQ.**  
SMITH HARTVIGSEN, PLLC  
175 South Main Street, Suite 300  
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For the Complainants:

**LARRY AND SHARON ZINI**, *pro se*

For Celtic Bank:

**STEVEN W. DOUGHERTY, ESQ.** (by telephone)  
ANDERSON & KARREBERG  
50 West Broadway, Suite 700  
Salt Lake City, Utah 84101  
(801) 534-1700  
(801) 364-7697 (fax)

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1 JULY 19, 2012 9:12 A.M.

2 P R O C E E D I N G S

3 THE COURT: This is the time and place duly  
4 noticed for a hearing related to an Order to Show  
5 Cause in Docket Nos. 11-097-01, 02, and 03.

6 The order issued July 9th by the Commission  
7 addresses a Motion to Compel Data Responses filed by  
8 Complainants, specifically Larry and Sharon Zini. And  
9 we have that motion before us. We have a subsequent  
10 response by Mountain Sewer. And a reply to that  
11 response from the Zinis.

12 Let's begin by noting the appearances of the  
13 parties who are present today. And we'll begin with  
14 the Zinis as the moving parties.

15 MR. ZINI: I'm Larry Zini. I live in the  
16 Huntsville area. And I'm a customer of Mountain Sewer  
17 and Lakeview Water.

18 MS. ZINI: I'm Sharon Zini. And also live in  
19 Huntsville. Customer of Mountain Sewer and Lakeview  
20 Water. And we're both Complainants in these three  
21 dockets.

22 THE COURT: Thank you. Mr. Smith?

23 MR. SMITH: Craig Smith appearing on behalf  
24 of Mountain Sewer. I have my law clerk, Adam Long,  
25 with me as well.

1 THE COURT: Thank you Mr. Smith. Anyone else  
2 desire to enter an appearance?

3 MR. ZINI: Excuse me, is there someone on the  
4 phone?

5 MR. DOUGHERTY: Yes, this is Steve Dougherty  
6 with the law firm of Anderson & Karrenberg. We  
7 represent Celtic Bank.

8 THE COURT: Thank you. The name again,  
9 please?

10 MR. DOUGHERTY: Steve Dougherty,  
11 D-o-u-g-h-e-r-t-y.

12 THE COURT: Thank you Mr. Dougherty.

13 MR. DOUGHERTY: Thank you.

14 THE COURT: Mr. or Mrs. Zini, we'll --

15 MS. ZINI: Um.

16 THE COURT: -- invite you to address the  
17 status of your data request responses.

18 MS. ZINI: Okay. On April the 27th we filed  
19 our first and only data request to Mountain Sewer and  
20 Lakeview Water, including all three of the dockets --  
21 11-097-01, 11-097-02, and 11-097-03 -- asking for  
22 numerous pieces of information in conjunction -- or I  
23 should say in regard to those particular dockets.

24 We have not heard back from the lawyers for  
25 Mountain Sewer/Lakeview Water. We did send an email

1 to them asking for their response before we had to  
2 file a motion. We finally received a response from  
3 the lawyers on the 2nd of July, which was 66 days  
4 after we actually filed our initial data request and  
5 17 days after we filed our motion to compel.

6 In their response they generally objected to  
7 anything relating to Lakeview Water, as they were  
8 separate corporations. It is our firm belief that  
9 Docket 11-097-01, our formal complaint and com -- and  
10 supplement to that complaint that was filed with the  
11 Commission involves both corporations.

12 The questions that we did ask were  
13 appropriate for us to respond to the Court's request  
14 for filed testimony. And we are asking that the Court  
15 do order the lawyers for this -- these two  
16 corporations to respond to our data requests  
17 appropriately.

18 THE COURT: Ms. Zini, can you help me a  
19 little bit with the Lakeview Water --

20 MS. ZINI: Certainly.

21 THE COURT: -- request? What is the -- what  
22 type of information are you requesting regarding that  
23 company, and what is your view of the connection of  
24 the information you seek to the complaint?

25 MS. ZINI: All right. We had filed in our

1 supplement complaint examples -- exhibits with  
2 examples with the Court on billing irregularities for  
3 both companies. Billing, um. Well, irregularities.  
4 Fees waived. Possible commingling, as exemplified in  
5 our, our exhibits.

6 And in order to give a satisfactory response  
7 in our written testimony to this Court we feel that we  
8 need to verify the depth and the breadth of these  
9 irregularities. As I said, there are exhibits and  
10 examples in our supplement relating to both  
11 corporations. Excuse me.

12 (A private discussion was held.)

13 MS. ZINI: Oh, and -- excuse me. And there  
14 were waivers as exhibits that crossed both companies.  
15 Waivers of fees that were due that are under the  
16 tariff.

17 THE COURT: And what type of information -- I  
18 haven't seen your data request, so --

19 MS. ZINI: Okay.

20 THE COURT: -- if you can help me with what  
21 type of information you've requested.

22 MS. ZINI: Certainly. We have asked for  
23 details relating to the number of customers on both  
24 corporations. The location of those customers.  
25 Whether they are, in fact, connected customers to the

1 systems. And the fees that they paid for those  
2 connections.

3 Whether they are standby customers. And the  
4 fees that they would be billing -- being billed under  
5 the tariffs that exist. We have not received that  
6 information on Lakeview Water. It does go to the --  
7 several of the exhibits that we have in our  
8 supplemental complaint on billing irregularities.  
9 Overbilling, underbilling, and no billing.

10 MR. ZINI: Also -- can I speak up, Judge?

11 THE COURT: Sure, you --

12 MR. ZINI: It, it goes to the idea that part  
13 of the issue here is a rate case and the apparent --  
14 what the other side sees as a lack of funding for  
15 Mountain Sewer.

16 And we, we found evidence where the funds  
17 have been commingled. We don't know how much money of  
18 Mountain Sewer was spent on Lakeview Water issues,  
19 since they're -- again, they are both owned by the  
20 same person at that time, and they are both owned by  
21 the same person now.

22 And we don't know how much money from  
23 Lakeview Water Company was spent on Mountain Sewer or  
24 *vice versa*. Because there is some generic, for  
25 instance, connection fees that do not delineate

1 exactly where the, the funds went to. Our, our own  
2 being the first example we looked at.

3 It just says "connection fees." It doesn't  
4 say how much money was put in which corporation and so  
5 forth. And we think that's important if we're gonna  
6 get to the point where a decision's gonna be made on  
7 how much compensation Mountain Sewer needs to get from  
8 a rate case, because we don't know -- because these --  
9 we feel that these things distorted any factual  
10 presentation of, of the financial records.

11 THE COURT: So that I understand your  
12 statement about connection fees, I think what you're  
13 saying to me is that when you initially subscribed to  
14 both the water and the sewer services you paid  
15 connection fees.

16 MR. ZINI: Uh-huh.

17 THE COURT: But there was no distinction  
18 between the fee for water service connection and the  
19 fee for sewer service connection --

20 MR. ZINI: That's correct.

21 THE COURT: -- is that correct?

22 MR. ZINI: That's correct. And there was  
23 also a overcharge on ours that we discovered later,  
24 once we submitted a GRAMA request and found what the  
25 actual tariffs were at that time. So this opened the



1 specter of further irregularities.

2 THE COURT: Thank you Mr. Zini.

3 Mr. Smith? Would you first address the, the  
4 delay, or at least the alleged delay in the Company's  
5 response to the data requests of the Zinis, and --

6 Because I assume there are some other  
7 questions that have been substantively answered; is  
8 that, is that true? And that it's, it's only the  
9 Lakeview ones that remain outstanding?

10 MS. ZINI: At this point we're evaluating the  
11 response that they did give us on Mountain Sewer. I  
12 would say 95 percent of the response they gave us  
13 referred back to the annual reports that the DP -- DPU  
14 receives and their rate case, without giving the  
15 specifics in detail as to the lots as we had  
16 requested.

17 But we are going through and evaluating that  
18 information at this time before we can make a final  
19 decision on that.

20 THE COURT: So Mr. Smith, if you'd first  
21 address the timing, and then anything that you'd like  
22 to say about the outstanding requests that relate to  
23 Lakeview Water.

24 MR. SMITH: Thank you Mr. Clark. We were  
25 late in responding to the data requests. I can give

1 you lots of reasons. Change -- we did have a change  
2 of Mr. Bryner, who was working main -- the main person  
3 working this case, left our firm to take another  
4 position. And it took some time to pull the  
5 information together to respond to those.

6 And I apologize that we were, we were slow.  
7 We didn't -- we did not respond till July 2nd. And,  
8 you know, I'm sorry that happened. And, you know,  
9 try -- I try not to have those things happen, but  
10 occasionally things like that happen.

11 I was not personally aware of the data  
12 requests until we got some notice from the Zinis  
13 that -- an email from Mr. and Mrs. Zini saying that it  
14 was late. And then, you know, then I kind of dug into  
15 it and took some time and put the information  
16 together. But we did put the information together to  
17 respond.

18 I think what's telling here is the fact that  
19 we've offered to let them come look at our records  
20 that they've asked for on July 2nd. Here it is  
21 July 19th and they haven't even set up a date to do  
22 that. I don't know what they're really looking for,  
23 but they must not be looking for much.

24 THE COURT: When you say "our records," which  
25 records are you referring to?

1           MR. SMITH: Records from Mountain Sewer. You  
2 know, I, I have a problem with -- and I'll obviously  
3 do whatever the Commission directs me to do.  
4 Obviously I'm not gonna presuppose what -- but as I  
5 look at the three things before us -- there are three  
6 matters before us.

7           One is the complaint against Mountain Sewer.  
8 There is no complaint against Lakeview Water that  
9 I'm -- this is the first I've heard of it that they  
10 have a complaint against Lakeview Water. That's  
11 certainly not in the Commission's order. It's not  
12 certainly styled as that.

13           It's -- the first matter is in the matter of  
14 the formal complaint against Mountain Sewer  
15 Corporation. The second matter is the notice of  
16 intent to sell both corporations. I -- again, they  
17 asked for basically the same information from Lakeview  
18 Water as from Mountain -- virtually every request was  
19 Mountain Sewer and Lakeview Water. They've asked for  
20 the same information. And then there's a rate  
21 proceeding for, for Mountain Sewer.

22           We went through a rate proceeding. And in  
23 fact Mr. and Mrs. Zini participated in that rate  
24 proceeding for Lakeview Water just about four or  
25 five years ago. So I -- we're not here on that. And

1 I'm not here -- I'm not -- I was not aware, at least  
2 till today, now they're saying they have a complaint  
3 against Lakeview Water for this alleged commingling of  
4 funds.

5 That's something that I wasn't aware of that  
6 they -- that that was before the Commission. Now,  
7 I -- you know, the Zinis are generally unhappy about  
8 everything that's happened with both Lakeview Water  
9 and Mountain Sewer. I'm aware of that since I handled  
10 the Lakeview Water hearing five years ago.

11 I understand they're unhappy with how it's  
12 handled. I understand they hate Mr. Catanzaro. And  
13 by the way, they should be happy to know that  
14 Mr. Catanzaro is now living in a Homewood Suites in  
15 Cal -- in Florida, working as a doctor at the age of  
16 73 years old.

17 So they should be happy. He's a broken man.  
18 He called me up the other day. He lost everything.  
19 He's, he's done. And we can spend all kinds of time  
20 on retrenching or rehashing what Mr. Catanzaro -- I  
21 should say Dr. Catanzaro did over the time, that ain't  
22 gonna get us anywhere.

23 That's not gonna get any better service.  
24 That's not gonna get any lower rates. And all we're  
25 going to do is -- I predict all we're going to do is

1 run up the bill, that's gonna be my bill to Mountain  
2 Sewer, that they are gonna have to pay as ratepayers.

3 Now, I know they don't want to pay that bill  
4 because they think I should be, as they told my  
5 client, I should be disbarred and kicked out of the  
6 practice of law. And I understand that's how they  
7 feel about me, and I'm -- people can have whatever  
8 feelings they want to have. That's fine.

9 But we've done nothing wrong. All we're  
10 trying to do here is three things: One, resolve any  
11 complaints against Mountain Sewer. Two, get approval.  
12 Which I don't even believe we need the approval but,  
13 you know, if the Commission wants to give us approval  
14 for the transfer of those companies.

15 Now, if they want to cancel that and give it  
16 back to Dr. Catanzaro, he's broke. I mean, there has  
17 been a remarkably improvement of service and  
18 everything else by the new owners coming on. And  
19 number three, we have a rate proceeding for Mountain  
20 Sewer.

21 You know, I'll show them whatever records the  
22 Commission thinks is proper for me to show them. I  
23 have to tell the Commission though in all, all candor,  
24 there's not a lot of financial records back in the  
25 periods they're looking to because, frankly, it was a

1 shoestring operation that was held together by paper  
2 clips and, and Scotch Tape. And there was not --  
3 there's not a lot of financial records.

4 This is not Questar. This is not Rocky  
5 Mountain Power. This is an under-funded water and  
6 sewer company that was being funded primarily by a  
7 developer who went broke. That's where we're at.

8 THE COURT: Just to be clear, I -- what I  
9 understand Mr. and Mrs. Zini to be saying regarding  
10 Lakeview Water is that, is that it may be a place  
11 where Mountain Sewer funds were directed. And so  
12 the -- I, I haven't -- I understand them not to be  
13 complaining against the water company, but attempting  
14 to determine whether or not Mountain Sewer corporate  
15 funds ended up in, in that company.

16 MR. SMITH: Yeah, I think, I think that's a  
17 legitimate inquiry. They don't know that because they  
18 haven't come to look at our records. Now, again, they  
19 love to complain and love to come here and make a show  
20 before the Commission, but when it comes to actually  
21 doing something that would actually --

22 THE COURT: Well.

23 MR. SMITH: -- get facts. They, they've  
24 known since July 2nd, for over two weeks, come look at  
25 the records. We've invited them to do that. They

1 haven't taken us up on that invitation. As of even  
2 right now.

3 MS. ZINI: Your Honor, may I reply?

4 THE COURT: Sure.

5 MS. ZINI: Thank you. First of all,  
6 Mr. Bryner left -- the notice to the Court for him to  
7 withdraw was 30 days after receipt by the Court and by  
8 the lawyers of our initial data request. So there  
9 were 30 days there. I don't propose to say what  
10 happened, but he did have it for 30 days.

11 Our initial complaint against Mountain Sewer  
12 was filed earlier in 2011. Our supplement, that did  
13 go to everyone, was filed on May the 26th of 2011.  
14 Noting all of the billing irregularities, the  
15 concerns, having the exhibits, *et cetera*, that, that I  
16 had referenced before. And that was May the 26th of  
17 2011. So I'm surprised that Counsel isn't aware that  
18 that's there.

19 As I said before, on the request that they  
20 did extend to us for Mountain Sewer records they said  
21 in there that really they had no records prior to the  
22 current Mr. Bowden taking over, and they had no way of  
23 getting those from Mr. Catanzaro. They couldn't force  
24 him to provide those records.

25 So we're trying to determine, going through

1 what they've given us and other information that we  
2 have been given through the DPU on data requests that  
3 we've been allowed to have copies of, what we really  
4 need and what would be beneficial to us from Mountain  
5 Sewer's side before we go back to Counsel and waste  
6 their time and ours trying to find information that  
7 they, themselves, have told us isn't there.

8 So we're trying to find answers to some of  
9 that on the Mountain Sewer side through other avenues  
10 before we take up their, their offer of, you know,  
11 letting us see records that don't exist. That does  
12 not answer the questions on our data request on the  
13 Lakeview Water side, as we'd already talked about.

14 THE COURT: I think what Mr. Smith's saying  
15 is that you're -- at least what I understand him to  
16 say is that you are welcome to examine whatever  
17 records exist regarding the Lakeview Water --

18 MS. ZINI: No.

19 MR. ZINI: No, it's Mountain Sewer.

20 THE COURT: -- Company. Is that --

21 MS. ZINI: No. It's Mountain Sewer, sir.

22 No.

23 THE COURT: Okay.

24 MR. SMITH: I'm happy to let them -- I'm  
25 sorry. I'm happy to let them look at anything at this



1 point. Because I think we're just wasting time --  
2 again, I -- and I know the -- I know, Mr. Clark, you  
3 didn't go through the last proceeding, but let me, let  
4 me give you a little background of what happened with  
5 the Lakeview Water proceeding, at least from my  
6 perspective.

7 From my perspective we had three different  
8 hearings. The Complainants, including the Zinis, and  
9 the Cumberlands, and the others, never brought any  
10 kind of substantive information to the table to  
11 complain. We just, we just did a lot of foot  
12 shuffling that cost massive ex -- you know, after the  
13 hearings were all over we spent a lot of money for  
14 nothing.

15 I'm happy to let them look. I would hope  
16 they would bring something substantive to the table  
17 because I think that would make my -- at least feel my  
18 existence here is somehow justified. So I'll -- at  
19 this point I'll let them look at any records they want  
20 to look at from either company.

21 But I -- what I'm, what I'm afraid of it'll  
22 be just like last time and we'll just do a lot of --  
23 go through lots of motions with no progress.

24 MR. ZINI: May I add something?

25 MR. SMITH: My --

1 MR. ZINI: I'm sorry. May I add something?

2 THE COURT: Just, just --

3 MR. ZINI: Go ahead.

4 THE COURT: Let me just state my sense is the  
5 Zinis would not characterize their participation as  
6 you have. And you're free to respond in any way you  
7 like, but I, I don't consider Mr. Smith's comments to  
8 be germane to the issues that we have before us.

9 MR. ZINI: Okay.

10 THE COURT: And I -- to move to the substance  
11 of those issues, I would say that I just want to  
12 understand from you that it's workable for you to  
13 examine the records that he is offering today. Is  
14 that a workable --

15 MR. ZINI: Yes.

16 THE COURT: -- solution for you?

17 MR. ZINI: That's what we were asking for. I  
18 might add, as you can well imagine, we have been  
19 receiving, as the *ad hoc* committee and part of the  
20 *ad hoc* committee, input from the customers of both  
21 Lakeview Water and Mountain Sewer regarding some of  
22 these issues.

23 And we have some information, additional  
24 information beyond what we have in our exhibits. And  
25 we want to confirm or debunk this information.

1 Because we're talking from the customer's point of  
2 view, this is their records of what they paid or what  
3 they didn't pay. And we're just trying to confirm  
4 that.

5 And we feel that since there's an absence  
6 that's been stated and restated on Mountain Sewer  
7 records, we feel that Lakeview Water records -- and  
8 you can use calculations on Lakeview Water records.  
9 You can say, If these customers paid "X" amount of  
10 dollars, and we know that they paid this amount to  
11 Lakeview Water, then the balance of that money had to  
12 go to Mountain Sewer.

13 Because almost every -- in every example that  
14 we've been able to find, these, these connection fees  
15 were collected together. They were not done  
16 separately. And they were handled by one person.

17 As far as our understanding from Mountain  
18 Sewer itself, that the clerk that handled the monthly  
19 billing and so forth did not handle the connection  
20 fees. This was handled by the previous owner. All  
21 the connection fees and recording.

22 So we're just trying to get to what the truth  
23 of the matter is on where -- and, and also we have in  
24 our examples and we've had other contacts from people  
25 that had waivers granted, as we mentioned earlier, on

1 the fees. Where they paid no connection fees.

2 So we're trying to establish where that  
3 happened, what the scope is, and what's the financial  
4 impact to both companies. That's really what our goal  
5 is.

6 THE COURT: And I understand that. And you  
7 have, you have access now to the, to the records of  
8 the water company. And I, I'm confident and I expect  
9 that Mr. Smith will honor the representation he's made  
10 today here.

11 So I think the -- what remains for us to  
12 address is what, if any, schedule impacts the delay in  
13 receiving the information would cause.

14 MR. ZINI: Judge, can I just add one thing to  
15 it? And I meant to say so and I left it out. In  
16 previous record access we get a overall sheet that  
17 says, This is the yearly report of totals amount.  
18 What we feel is essential here is that each lot and  
19 their connection fees be delineated out.

20 In other words, I know what our lot number  
21 was, and the fees should be associated with that.  
22 Because they have to know that information in order to  
23 file a rate case or to continue to operate the  
24 business.

25 They have to know which customers paid the

1 connection fees, which customers have not paid the  
2 connection fees, and so forth. Rather than just a  
3 blanket overall thing, and many thousands of dollars,  
4 and this is what was paid. So we would like that  
5 order to include individual records --

6 MR. SMITH: I --

7 MR. ZINI: -- by lot.

8 THE COURT: Well, they're, they're going to  
9 allow you to examine all of the corporate records, as  
10 I understand it.

11 MR. ZINI: Okay.

12 THE COURT: If those records don't exist, the  
13 Company doesn't have to create them for you.

14 MR. ZINI: No, that's true.

15 THE COURT: But if they exist, then you,  
16 you'll be entitled to examine them.

17 Correct, Mr. Smith?

18 MR. SMITH: Yeah, I'm -- that's exactly --  
19 thank you. You said exactly what I was gonna say.  
20 We'll let them look at everything we have. I think  
21 they'll be disappointed, because they think there  
22 should be records that we don't have.

23 And no, you don't need to have every record  
24 in the world to file a rate case. You just need to  
25 have the information necessary to file a rate case

1 from the test period.

2 As I pointed out many, many times, the  
3 Company was run on a shoestring. I know I'm being  
4 very repetitive here, and I apologize for that. And a  
5 lot of what they think should have been created as  
6 records just don't exist. But we will let them see  
7 everything we have.

8 THE COURT: And just so I'm clear, "we" means  
9 the corporation, not, not the law firm?

10 MR. SMITH: No. I don't even have them in my  
11 office. We, we've gone up and -- Mr. -- reason  
12 Mr. Long's here as a law clerk is because he's also --  
13 he also is a CPA and understands these things a lot  
14 better than I do.

15 He's been the one -- I can let him speak --  
16 he's seen the records. And he knows -- but yeah,  
17 we'll make everything the corporation has. It's -- if  
18 they were to come see what's in my office they  
19 wouldn't even see anything because there's hardly  
20 anything there.

21 THE COURT: Okay. So I'm satisfied that  
22 we're at the -- we've resolved this issue of access.  
23 There's admitted delay in the information being  
24 provided.

25 And the other -- and another important

1 consideration is the Commission's statutory obligation  
2 to reach a deter -- a decision in this matter within  
3 240 days. So to some degree we have several different  
4 things influencing the, the response that should be  
5 made to this situation of you receiving the  
6 information significantly after you should have.

7 I think it is important to note that there's  
8 still about a month, slightly less than that, before  
9 your direct testimony is due. And I have that date as  
10 August the 16th. Is -- and I know you've requested  
11 some delays in your motion.

12 Having heard what you've, what you have heard  
13 today, and understanding the time frames that we're  
14 operating within, do you have a proposal? Let's --  
15 we'll be off the record for a minute.

16 (A discussion was held off the record.)

17 THE COURT: The Motion to Compel and Order to  
18 Show Cause will be resolved in the following way: The  
19 date for filing of direct testimony by parties other  
20 than the Applicant is now August 23, 2012, as opposed  
21 to August 16, 2012, which was previously published in  
22 a Commission order dated May 14, 2012. So again,  
23 direct testimony due on August 23rd.

24 And the corporate records of Lakeview Water  
25 Company in their entirety will be available to -- for

1 inspection and copying as designated by the Intervenor  
2 participants in the inspection.

3 And that inspection will occur on a date  
4 certain that will be mutually agreed upon by the  
5 Intervenor -- specifically the Zinis and other  
6 Intervenor that may desire to participate -- as well  
7 as Mr. Long, who represents -- or is a law clerk with  
8 the firm representing Mountain Sewer. And the  
9 arrangements will be made with Mr. Long directly for  
10 the date of the inspection.

11 And a separate date of inspection will be  
12 available for the Division, and that arrangement also  
13 will be made directly with Mr. Long.

14 Is there anything else that needs to come  
15 before the Commission at this time?

16 MR. SMITH: Not that I'm aware. Thank you  
17 Mr. Clark.

18 THE COURT: Thank you.

19 MS. ZINI: Thank you.

20 THE COURT: We're off the record.

21 (The hearing was concluded at 9:50 a.m.)

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23 \*\*\*

24 \*\*\*

25 \*\*\*



C E R T I F I C A T E

STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE )

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That the proceedings were reported by me in stenotype and thereafter caused by me to be transcribed into typewriting. And that a full, true, and correct transcription of said proceedings so taken and transcribed is set forth in the foregoing pages, numbered 1 through 24, inclusive.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof.

SIGNED ON THIS 30th DAY OF July, 2012.

Kelly L. Wilburn, CSR, RPR  
Utah CSR No. 109582-7801

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