

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Change of Ownership )  
and Address of Mountain Valley Ranches ) DOCKET NO. 04-2369-01  
Water )  
)  
In the Matter of the Ownership Change of ) DOCKET NO. 11-2535-01  
Mountain Valley Ranches Community Water )  
Association, Inc. ) ORDER CANCELING CERTIFICATE OF  
) PUBLIC CONVENIENCE AND  
) NECESSITY  
)  
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ISSUED: March 26, 2012

By The Commission:

This matter is before the Commission upon the recommendation of the Division of Public Utilities (“Division”), dated March 15, 2011, concerning Certificate of Public Convenience and Necessity (CPCN) No. 2369. The Division recommends cancellation of the CPCN based on information received from Mrs. Minnie Yoder (“Mrs. Yoder”) of E & M Water.

In June 2001, the Commission issued CPCN No. 2369 to Mountain Valley Ranches Community Water Association, Inc. (the “Association”). Thereafter, the Association voluntarily dissolved on December 31, 2010.<sup>1</sup> At the time of dissolution eight (8) of the ten (10) customers previously receiving water from the Association were receiving water service from Central Iron County Water Conservancy District.

On January 1, 2011, the equipment and water system were transferred to Ed Yoder (“Mr. Yoder”), and Mr. & Mrs. Yoder established a new company under the name of E & M Water. On September 30, 2011, the Commission acknowledged the name change in Docket No. 11-2535-01.

<sup>1</sup> Per the Division, records on file with the Division of Corporations verify the dissolution occurred.

DOCKET NOS. 04-2369-01 AND 11-2535-01

- 2 -

In February 2012, Mrs. Yoder contacted the Division in response to the Division's request for a 2011 Annual Water Report. Mrs. Yoder informed the Division in a letter dated February 9, 2012 that the well is private and only serves her husband and herself. Mrs. Yoder further clarified that no other customers are served by E & M Water.

ORDER

For the foregoing reasons, Certificate No. 2369, issued June 2001, is hereby canceled.

DATED at Salt Lake City, Utah, this 26<sup>th</sup> day of March 2012.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg  
Commission Secretary

DW#219705

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a 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 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 Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26<sup>th</sup> day of March, 2012, a true and correct copy of the foregoing Order Canceling Certificate of Public Convenience and Necessity was delivered upon the following as indicated below:

By U.S. Mail:

E & M Water  
Attention: Mr. Ed Yoder, President  
2226 W 5875 N  
Cedar City, UT 84721

By Hand-Delivery:

Division of Public Utilities  
160 East 300 South, 4th Floor  
Salt Lake City, Utah 84111

Office of Consumer Services  
160 East 300 South, 2nd Floor  
Salt Lake City, Utah 84111

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Administrative Assistant