

June 21, 2018

Via Hand Delivery and Email [psc@utah.gov]

Gary Widerburg
Commission Secretary
UTAH PUBLIC SERVICE COMMISSION
160 East 300 South, Fourth Floor
Salt Lake City, Utah 84111

**Re: Docket 13-2195-01
Response to Formal Complaint of J. Rodney Dansie**

Dear Mr. Widerburg:

The Formal Complaint filed by J. Rodney Dansie dated June 10, 2013 is another in a long line of attempts by Mr. Dansie to receive a subsidy from Hi-Country Estates Homeowners Association (“**Hi-Country**”) customers. Mr. Dansie appears to focus on three primary issues in his Formal Complaint. First, Mr. Dansie complains that a rate case has not yet been filed by Hi-Country. Second, Mr. Dansie alleges that it was improper for Hi-Country to file a lawsuit in district court to collect years of unpaid standby fees from Mr. Dansie. Third, Mr. Dansie once again asserts that he is entitled to numerous benefits under a certain “Well Lease Agreement.” These issues are addressed below.

First, Mr. Dansie’s arguments regarding the filing of a rate case are moot. In an Order dated June 26, 2013, the Commission set a deadline of July 27, 2013 for Hi-Country to file its general rate case. Hi-Country has filed, concurrently with this Response, its general rate case.

Second, there is nothing improper about Hi-Country’s lawsuit against Mr. Dansie to collect on years of unpaid standby fees. The majority of these fees were assessed prior to Hi-Country coming under Commission jurisdiction, and the remainder of the fees were assessed pursuant to Hi-Country’s effective Tariff filed with the Commission. If Mr. Dansie believes that he has defenses against Hi-Country’s claims, Mr. Dansie can raise those to the district court. The Commission is not the proper forum for these arguments to be made or heard. Furthermore, this firm has already responded previously to an Informal Complaint filed by Mr. Dansie regarding standby fees, and the Division of Public Utilities determined that Hi-Country was not in violation of the Tariff or of Commission rules and regulations. (The letter and the Division’s decision are contained in the Informal Complaint Report attached as Exhibit E to Mr. Dansie’s Formal Complaint.)

Finally, any issues that Mr. Dansie has regarding the applicability or enforceability of the Well Lease Agreement can and should be handled in the general rate case. Accordingly, Hi-Country respectfully requests that any remaining issues in Mr. Dansie's Formal Complaint should be consolidated into the general rate case and resolved therein.

Sincerely,
SMITH HARTVIGSEN, PLLC

J. Craig Smith

Enclosure

cc: Legal Committee, Hi-Country HOA [via email]
J. Rodney Dansie

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of July, 2013, I served a true and correct copy of the foregoing **Response to Formal Complaint of J. Rodney Dansie** by causing the same to be delivered to the following:

Via hand delivery and email to:

Gary Widerburg
Commission Secretary
UTAH PUBLIC SERVICE COMMISSION
160 East 300 South, Fourth Floor
Salt Lake City, Utah 84111
psc@utah.gov

Via U.S. mail to:

J. Rodney Dansie
7198 West 13090 South
Herriman, UT 84096
