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UTAH PUBLIC  
SERVICE COMMISSION  
2014 JUL 21 P 1:06

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IN THE UTAH [SUPREME COURT] [COURT OF APPEALS](circle one)

\_\_\_\_\_ )  
 ) PETITION FOR REVIEW  
Werner Uhlig )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
PSC )  
 ) Appeal No. \_\_\_\_\_  
(Agency) Respondent. ) Agency Decision No. 13-2195-02

Notice is hereby given that Werner Uhlig (your name), petitioner, petitions the Utah (Supreme Court) [Court of Appeals](circle one) to review the (order) [decision](circle one) of the respondent made in this matter on June 19, 2014 (date).

This petition seeks review of the entire (order) [decision](circle one).  
OR

This petition seeks review of such (part of the [order]) [decision](Circle one) that states that  
- a standby-fee is levied and just in the  
Dollar Amount of \$ 31.75 per new water-  
users.

Petitioner requests the court to direct the respondent to prepare and certify to the court its entire record, which shall include all of the proceedings and evidence taken in this matter.

W. Uhlig  
(signature)

Werner Uhlig - Petitioner  
7762 W. Hi Country Rd  
Herriman, UT 84096  
Phone: (801) 363-8297  
[Wuhlig111@msn.com](mailto:Wuhlig111@msn.com)

July 18th, 2014

Utah Supreme Court  
PO Box 140210  
Salt Lake City, UT 84114-0210

### Petition for Judicial Review

In the name of justice, equality and non-discriminatory conduct, I write to you as a last resort in a seemingly hopeless situation. Attorneys told me, a successful outcome in my case would cost me between 25,000 and 30,000 dollars which I do not have, but I believe justice cannot be only for wealthy people in this great country. The discrimination is obvious. Two water systems serve the home owners in an association: one is the so called water company (91 members majority) and the other is the well owners (35 members minority), and only the majority is being financial supported by Water rates and stand by fee's now issued by the PSC.

It is unjust to establish a special fee for the minority of all home owners who rely on their own private wells for water. I am one of those home owners with a private well and I do not think the imposition of a "standby fee" is legally tenable. If there is a need for it, then it should be assessed equally on all home owners; there is no justification for charging some home owners more than others. Those of us who are not connected to the water system accept the principle that all owners have an equal obligation to contribute to its maintenance, but when the HOA devises a scheme whereby those who don't use the water system see more rapid increases in their annual contributions to the cost of the system than those owners who do use it – well, then it is obvious that the majority is finding a way to exploit the minority.

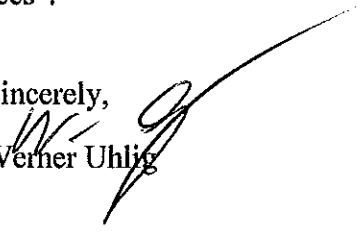
All improvements, maintenance, service and repair or replacement cost for the infrastructure of the "High Country Estates", which includes the "water company", is and should be covered thru assessments which are paid annually by the HOA residents and is evenly and fairly divided to the same dollar amount for every member of the HOA. And of course by water rates for water usage. According to the Protective Covenants for the Hi-Country Estate and By-laws, there is no mention of any extra fees. There is only mention of an annual assessment fee.

In assessing a standby fee for the minority well owners (35), the HOA majority is gaining financial benefits, annually, in the amount of \$13335.00 at the present rate (\$31.75) set by the PSC. Of course the majority which includes HOA- and water company directors always vote and argue for standby fee increases because it brings down the dollar amount of the annual assessment which everybody must pay. This means by an assessment of \$550.00 yearly, the minority well owners will pay 70% more to the HOA treasury than the majority without any benefits whatsoever. This preferential, unjust ruling discriminates minority well owners to pay a fair share, as supposed to be by law.

The notion is that the majority well owners are discriminating against the minority well owners only addressing their own specific water needs. Repair, maintenance, service and replacement costs do not

With a disregard for fairness and equality the PSC is in error regarding their ruling of the "stand-by fees".

Sincerely,

  
Werner Uhlig

CERTIFICATE OF SERVICE

I, Werner Ubbig (your name) hereby certify that on July 21, 2014 (date) I served a copy of the attached Petition for Review upon the party(ies) listed below by [mailing it by first class mail] personal delivery (Circle one) to the following address(es):

Utah Public Service Commission  
Heber M. Wells Building  
160 E. 300 St.  
Salt Lake City, Ut. 84114

and a true and correct copy of the foregoing Petition for Review was [deposited in the United States mail] [hand delivered] (Circle one) to the agency listed below:

PSC  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: Werner Ubbig  
Signature

Dated this July 21, 2014