

Public service commission of Utah  
Re: Docket number 13-2477-02  
Testimony of Home owner  
Eagles Landing Water company formal complaint

My name is Elmo Richins, I own the home at 4529 E Cougar Run in Birdseye Utah. Lot 95 of the Eagles Landing Development. I purchased the home from John and Sherry Reano on March 22 2013. The Reanos Purchased the home from David Olsen in 2011. I believe this was a short sale and the house was built in 2007. When I was in the process of purchasing the home I asked the Reanos how much their water bill was, because of the size of the yard that's been landscaped and the fact that I like to garden I was concerned about the cost of water, Mr. Reano told me at that time that the water cost was \$55.00 per month no matter how much water we used. This was acceptable to me and after we transferred the water billing into our name we started receiving monthly billings of \$55.00 and paid the bills in full and never questioned the tariff.

On November 24, 2013 we received our monthly water bill of \$55.00 along with a bill for \$4000.00 for a meter set fee and \$100.00 for a hookup fee. I call Mr. Olsen to find out why I was being charged the meter set and hookup fees and he told me that his lawyer Craig Smith told him to bill all the homes that had fees that were never paid by the original owners, the original owner of the house was Mr. Olsen, I told Mr. Olsen that I didn't think I was responsible for the fees because I wasn't the original owner. The water meter was set and turned on when I bought the home and those fees should have been taken care of when the house was built and before the Reanos purchased the home.

Mr. Olsen then told me that the water company was broke and needed the money and if we didn't pay he would be forced to shut down the water company and every one up there (Eagles landing) could buy their own water rights and drill their own wells. This concerned me greatly because we have two young children living with us and this is our only source of water. I called the public service commission and talked to Marialie Martinez to see if in fact Mr. Olsen could shut off our water. She at that time advised me to file an informal complaint because Mr. Olsen couldn't shut off the water as long as there was an informal or formal complaint, so at that time I filed the informal complaint.

A couple of days later Ms. Martinez called me and suggested that I go ahead and file a formal complaint because there were other informal complaints filed against the water company that Mr. Olsen hadn't respond to. She sent me the formal complaint form along with the other informal complaints and asked that we include all the complaints in one formal complaint so they could be all heard at the same time.

It is my understanding that once a house is sold all fees and bills owed by the pervious owner are not transferable to the new owner unless they are negotiated at the time of closing. The title search never found any outstanding fees or liens.

If the water company is owed money then it is their responsibility to collect the money from the construction company who was responsible for the fees in the first place, In this case that would be Hearthstone Development owned by David Olsen, and not the new owner of the house.

I am concerned with the viability of the water company and I don't believe the County will let us drill a well because there is a water utility available so we need to get things worked out but Mr Olsen is holding the home owners hostage and making threats trying to collect money, this is called extortion and needs to end.