

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Sale of Sherwood Water)
Company to the City of Delta, Delta, Utah)

DOCKET NO. 14-075-01

) ORDER CANCELLING CERTIFICATE OF
) PUBLIC CONVENIENCE AND
) NECESSITY
)

ISSUED: January 23, 2014

On March 31, 1983, the Public Service Commission (“Commission”) issued certificate of public convenience and necessity (“CPCN”) No. 2114 to Sherwood Water Company (“Sherwood”). On January 16, 2014, the Division of Public of Utilities (“Division”) filed a recommendation to cancel the CPCN. The Division recommendation contains the following explanation:

In October of 2013 the Division received information regarding the sale of Sherwood . . . to the City of Delta, Delta, Utah. The Division had no prior knowledge or notification that a sale was being considered. On November 20, 2013 Jody Tasker, Delta City Treasurer, submitted a copy of the executed Bill of Sale of the water system and all assets from Sherwood . . . to the City of Delta in May of 2013.

The Division believes that this sale is in the public interest. The sale allows former Sherwood . . . customers to be included in a larger customer base with full-time water management. Sherwood’s 100 water connections [are] now part of [the City of] Delta’s customer base of approximately 1,000 water connections. The rates remained about the same, but a larger customer base should help in stabilizing the rates in the long run.

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The Commission notes that the City of Delta is not within the Commission's jurisdiction.¹

ORDER

For the foregoing reasons, Certificate No. 2114, issued March 31, 1983, is cancelled.

DATED at Salt Lake City, Utah, this 23rd day of January, 2014.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#250287

¹ “[T]owns, cities, counties, water conservancy districts, improvement districts, or other governmental units created or organized under any general or special law of this state” do not fall within Commission jurisdiction. Utah Code Ann. § 54-2-1(29).

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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 CERTIFY that on the 23rd day of January, 2014, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By U.S. Mail:

Beth Smith
Sherwood Water Company
PO Box 565
Delta UT, 84624

Beth Smith
Sherwood Water Company
3140 N 2000 W
Delta, UT 84624-7306

By E-Mail:

Patricia Schmid (pschmid@utah.gov)
Justin Jetter (jjetter@utah.gov)
Assistant Utah Attorneys General

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

Administrative Assistant