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Department of Commerce  
Division of Public Utilities

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Director, Division of Public Utilities

**MEMORANDUM**

**To:** Public Service Commission

**From:** Division of Public Utilities

Chris Parker, Director

Bill Duncan, Telecommunications / Water Manager *WSD*

Mark Long, Utility Analyst *ML*

**Date:** May 28, 2014

**Re:** In the Matter of EAGLE'S LANDING WATER COMPANY, LLC NOTIFICATION OF CHANGE OF OWNERSHIP, Docket No. 14-2477-01.

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The Division of Public Utilities ("Division") is responding to the Public Service Commission's ("Commission") Action Requests issued on April 28, 2014 and May 2, 2014 and due May 28, 2014 and June 2, 2014 respectively.

**Background**

On August 18, 2008 Eagle's Landing Water Company, LLC. ("Eagle's Landing" or "Water Company") was granted Certificate of Public Convenience and Necessity No. 2477 to operate as a water corporation providing culinary water within the Eagle's Landing Subdivisions by the Commission. Eagle's Landing was owned and fully financed by Hearthstone Development, Inc., the principal of which is David Olsen.

On April, 17, 2014, with an effective date of April 1, 2014, Hearthstone Development, Inc. surrendered 100% of its membership interest as well as all assets and bank accounts to JR Asset Holdings, LC, of which John Jacob is the principal. The transaction was for the satisfaction of debts (unrelated to the Water Company) owed by Hearthstone Development, Inc. and Mr. Olsen to Mr. Jacob. The water company did not incur any additional debt in connection to this transaction.

Subsequently, Mr. Jacob was informed by the Utah Division of Corporations and Commercial Code ("Division of Corporations") that the name of JR Asset Holdings, LC could not be used because of its similarity to the name of an existing entity. Therefore, on May 23, 2014, the name was changed from JR Asset Holdings, LC to Winchest Asset Holdings, LC with Mr. Jacob remaining the principal. The Division verified through the Division of Corporations records that Winchest Asset Holdings, LC is in "Good Standing" and has an "Active" status.

Mr. Jacob provided all requested documentation clearly showing the transfer of ownership and the name change, which will be maintained in the records of the Division and available to the Commission.

Mr. Jacob has been in contact with the Division numerous times since his involvement with the Water Company seeking its advice and help to run Eagle's Landing pursuant to the laws and rules of the Commission. The Division wishes to acknowledge Mr. Jacob's efforts in improving customer service and in running the day-to-day operations.

**Other Information**

Mr. Jacob is currently working on a proposal to Eagle's Landing's customers to satisfy the Commission's April 23, 2014 Order to refund amounts customers paid in excess of \$35 per month for water usage from June 2010 through January 2014. Briefly, the proposal will satisfy the complete refund through customer's overage amounts until the refund amount is paid in full. The proposal appears to have the support of the customers. The Division recommended to Eagle's Landing that it submit the proposal, along with the evidence of customer support, to the Commission for its review.

Mr. Jacob has also indicated to the Division that he is working on a revised tariff as also ordered in the April 23<sup>rd</sup> Order. The Division will work with and assist Mr. Jacob as needed.

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