



State of Utah

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Public Service Commission

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Commissioner

LETTER OF EXEMPTION NO. 229.

May 28, 2014

Justin W. Wayment
Counsel for Red Canyon Estates Water Users Association
PO Box 1808
Cedar City, UT 84721

Joe Portolese
President
Red Canyon Estates Water Users Association
PO Box 971
Parowan City, UT 84761

RE: In the Matter of the Application of Red Canyon Estates Water Users Association for an
Exemption from Public Service Commission Regulation; Docket No. 14-2570-01

Dear Messrs. Wayment and Portolese:

The Public Service Commission of Utah (“Commission”) has reviewed the proposed application for exemption, filed on behalf of Red Canyon Estates Water Users Association (“Red Canyon”) on March 21, 2014.

On March 25, 2014, the Commission issued a notice of filing, comment period, and request for proof of notice to customers. The request for proof of notice to customers required Red Canyon to provide proof of notice of the proposed exemption to its affected customers within 10 days of the notice. Red Canyon subsequently provided proof of notice to its affected customers.

On April 21, 2014, the Division of Public Utilities (“Division”) recommended the Commission issue a letter of exemption because “...Red Canyon is serving only customers located within its service area boundaries that are members of the water company. . . .” Utah Code Ann. § 54-2-1(29) excludes water corporations from Commission jurisdiction that distribute water only to their stockholders or members. Thus, it appears an exemption for Red Canyon is appropriate.

Please be advised that this Letter of Exemption No. 229 is granted pursuant to the representations contained in Red Canyon’s application and the basis for the Division’s recommendation that Red Canyon serves only its members and not the public generally. Red Canyon has a continuing obligation to update the Commission within 30 days of any change.

This Letter of Exemption No. 229 is revocable for cause at any time. Please refer to this letter number in any future correspondence with either the Commission or the Division.

Sincerely,

/s/ Gary L. Widerburg
Commission Secretary
DW#255488

cc: Justin W. Wayment (legal@suhdutsingllc.com)
Joe Portolese (jportol@yahoo.com)
Bill Duncan, Telecommunications/Water Manager, Division of Public Utilities
Mark Long, Utility Analyst, Division of Public Utilities
Dennis Miller, Paralegal, Division of Public Utilities