

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of  
Community Water Company for Approval of  
a General Rate Increase

DOCKET NO. 15-098-01  
ORDER STAYING DIRECT  
TESTIMONY DEADLINE

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ISSUED: December 18, 2015

On September 3, 2015, the presiding officer issued a scheduling order in this docket. In relevant part, December 18, 2015 was set as the deadline for filing of direct testimony.

On December 17, 2015, Community Water notified the presiding officer and the other parties to this docket that it intends to file a motion for leave to withdraw its application.

Therefore, Community Water requested that the direct testimony deadline be stayed.

Also on December 17, 2015, the presiding officer requested that the Division of Public Utilities (Division) and the interveners promptly voice any objection to Community Water's request for a stay. As of the date of this order, no party has raised an objection.<sup>1</sup>

Given the foregoing, the Commission grants the request for a stay of the December 18, 2015 direct testimony deadline. No other dates or deadlines of record are affected by this order.

Community Water shall file its anticipated motion no later than **Monday, December 21, 2015**. If Community Water's motion is timely filed, briefing shall proceed as follows:

1. Any party may file a response to the motion no later than **Monday, December 28, 2015**.
2. If a response is filed, Community Water may file a reply no later than **Tuesday, December 29, 2015**.

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<sup>1</sup> See the e-mail chain among the presiding officer, Community Water, the Division, and interveners Terry Lange, Guy Rawson, Brian W. Burnett, and Scott H. Murri, attached as Exhibit A.

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If the Commission determines not to allow Community Water to withdraw the application, the direct testimony deadline will be **Monday, January 4, 2016**, after which the presiding officer will hold a status conference with the parties to determine whether any other dates or deadlines require modification.

DATED at Salt Lake City, Utah, this 18<sup>th</sup> day of December, 2015.

/s/ Jennie T. Jonsson  
Administrative Law Judge

Approved and confirmed this 18<sup>th</sup> day of December, 2015 as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg  
Commission Secretary  
DW#271053

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EXHIBIT A



Jennie Jonsson <jjonsson@utah.gov>

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## Docket Nos. 14-098-01, 15-2025-01, and 15-2280-01 - Community Water - Request for Stay of Filing Deadline

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Justin Atwater <jatwater@tc-fc.com>

Thu, Dec 17, 2015 at 10:39 AM

To: "JJONSSON@UTAH.GOV" <JJONSSON@utah.gov>, Spencer White <swhite@replayresorts.com>, Fran Amendola <dolas@comcast.net>, Scott Murri <smurri@nelsonmurri.com>, Terry Lange <TLange55@comcast.net>, Guy Rawson <808rawson@gmail.com>, "pschmid@utah.gov" <pschmid@utah.gov>, "jjetter@utah.gov" <jjetter@utah.gov>, "brianburnett@cnmlaw.com" <brianburnett@cnmlaw.com>

Cc: "psc@utah.gov" <psc@utah.gov>, "wduncan@utah.gov" <wduncan@utah.gov>, "rslusher@utah.gov" <rslusher@utah.gov>, "dennismiller@utah.gov" <dennismiller@utah.gov>, "rolsen@utah.gov" <rolsen@utah.gov>, "mbeck@utah.gov" <mbeck@utah.gov>, "cmurray@utah.gov" <cmurray@utah.gov>, "bvastag@utah.gov" <bvastag@utah.gov>, "mpaschal@utah.gov" <mpaschal@utah.gov>, Stacy Wilson <swilson@tc-fc.com>, Tom Jolley <tjolley@tc-fc.com>

Judge Jonsson:

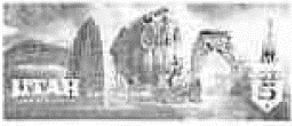
As mentioned to you yesterday afternoon, Community Water Company is preparing to withdraw its Rate Case Application and expects to file a motion regarding the same within the next few days. In that connection, and in order to save time and expense for all parties involved, Community Water hereby requests that the deadline (December 18, 2015) for filing Direct Testimony of all parties other than Community Water be stayed until an order on the forthcoming motion to withdraw is issued.

I have copied all intervenors to this e-mail in order to expedite the request. If there are any questions please e-mail or call me at your convenience.

Thanks,

Justin

Office: 435.200.8400 Mobile: 801-913-0258



Jennie Jonsson <jjonsson@utah.gov>

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## Docket Nos. 14-098-01, 15-2025-01, and 15-2280-01 - Community Water - Request for Stay of Filing Deadline

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Jennie Jonsson <jjonsson@utah.gov>

Thu, Dec 17, 2015 at 3:33 PM

To: Justin Atwater <jatwater@tc-fc.com>

Cc: Spencer White <swhite@replayresorts.com>, Fran Amendola <dolas@comcast.net>, Scott Murri <smurri@nelsonmurri.com>, Terry Lange <TLange55@comcast.net>, Guy Rawson <808rawson@gmail.com>, "pschmid@utah.gov" <pschmid@utah.gov>, "jjetter@utah.gov" <jjetter@utah.gov>, "brianburnett@cnmlaw.com" <brianburnett@cnmlaw.com>, "wduncan@utah.gov" <wduncan@utah.gov>, "rslusher@utah.gov" <rslusher@utah.gov>, "dennismiller@utah.gov" <dennismiller@utah.gov>, "roisen@utah.gov" <roisen@utah.gov>, "mbeck@utah.gov" <mbeck@utah.gov>, "cmurray@utah.gov" <cmurray@utah.gov>, "bvastag@utah.gov" <bvastag@utah.gov>, Stacy Wilson <swilson@tc-fc.com>, Tom Jolley <tjolley@tc-fc.com>

All,

Where the current direct testimony deadline is tomorrow, I am not going to be able to issue a scheduling order on Community Water's request for a stay. While it seems unlikely that another party would have an objection, I need some assurance of consensus before I issue an order. Therefore, I am requesting that each party, including each intervener, reply to this e-mail to establish any objection. Unless I hear an objection, I will issue an order of stay at approximately 12:00 P.M. tomorrow, December 18, 2015.

Thank you,  
Jennie T. Jonsson  
Administrative Law Judge  
Utah Public Service Commission

[Quoted text hidden]



Jennie Jonsson <jjonsson@utah.gov>

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**Docket Nos. 14-098-01, 15-2025-01, and 15-2280-01 - Community Water -  
Request for Stay of Filing Deadline**

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**TLange55** <TLange55@comcast.net>  
To: Jennie Jonsson <jjonsson@utah.gov>

Thu, Dec 17, 2015 at 3:46 PM

Judge Jonsson,  
In response to your email, I have no objection to the stay.

Terry Lange Intervener and President Red Pine Hoa

-Terry  
Sent from my T-Mobile 4G LTE Device  
[Quoted text hidden]



Jennie Jonsson <jjonsson@utah.gov>

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## Docket Nos. 14-098-01, 15-2025-01, and 15-2280-01 - Community Water - Request for Stay of Filing Deadline

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William Duncan <wduncan@utah.gov>

Thu, Dec 17, 2015 at 4:24 PM

To: Jennie Jonsson <jjonsson@utah.gov>

Cc: Justin Atwater <jatwater@tc-fc.com>, Spencer White <swhite@replayresorts.com>, Fran Amendola <dolas@comcast.net>, Scott Murri <smurri@nelsonmurri.com>, Terry Lange <TLange55@comcast.net>, Guy Rawson <808rawson@gmail.com>, "pschmid@utah.gov" <pschmid@utah.gov>, "jjetter@utah.gov" <jjetter@utah.gov>, "brianburnett@cnmlaw.com" <brianburnett@cnmlaw.com>, "rslusher@utah.gov" <rslusher@utah.gov>, "dennismiller@utah.gov" <dennismiller@utah.gov>, "rolsen@utah.gov" <rolsen@utah.gov>, "mbeck@utah.gov" <mbeck@utah.gov>, "cmurray@utah.gov" <cmurray@utah.gov>, "bvastag@utah.gov" <bvastag@utah.gov>, Stacy Wilson <swilson@tc-fc.com>, Tom Jolley <tjolley@tc-fc.com>

Judge Jonsson,

The Division plans to file direct testimony tomorrow, December 18, 2015. The Division does not object to the stay on the direct testimony filing date.

The Division does not take a position at this time on the pending motion of Community Water to withdraw its rate application.

[Quoted text hidden]

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Bill Duncan  
Manager, Telecommunication and Water  
Utah Division of Public Utilities  
801-530-6948  
Fax 801-530-6512  
wduncan@utah.gov



Jennie Jonsson <jjonsson@utah.gov>

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**Docket Nos. 14-098-01, 15-2025-01, and 15-2280-01 - Community Water -  
Request for Stay of Filing Deadline**

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Guy <808rawson@gmail.com>  
To: jjonsson@utah.gov

Thu, Dec 17, 2015 at 6:09 PM

As representative for Hidden Creek, I do not oppose the Motion to the Stay the direct testimony filing date.

Thank you  
Guy Rawson

Sent from my iPhone





Jennie Jonsson <jjonsson@utah.gov>

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## Docket Nos. 14-098-01, 15-2025-01, and 15-2280-01 - Community Water - Request for Stay of Filing Deadline

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Brian W. Burnett <brianburnett@cnmlaw.com>

Thu, Dec 17, 2015 at 6:13 PM

To: Jennie Jonsson <jjonsson@utah.gov>, Justin Atwater <jatwater@tc-fc.com>

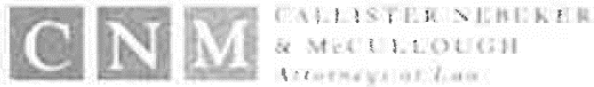
Cc: Spencer White <swhite@replayresorts.com>, Fran Amendola <dolas@comcast.net>, Scott Murri <smurri@nelsonmurri.com>, Terry Lange <TLange55@comcast.net>, Guy Rawson <808rawson@gmail.com>, "pschmid@utah.gov" <pschmid@utah.gov>, "jjetter@utah.gov" <jjetter@utah.gov>, "wduncan@utah.gov" <wduncan@utah.gov>, "rslusher@utah.gov" <rslusher@utah.gov>, "dennismiller@utah.gov" <dennismiller@utah.gov>, "rolsen@utah.gov" <rolsen@utah.gov>, "mbeck@utah.gov" <mbeck@utah.gov>, "cmurray@utah.gov" <cmurray@utah.gov>, "bvastag@utah.gov" <bvastag@utah.gov>, Stacy Wilson <swilson@tc-fc.com>, Tom Jolley <tjolley@tc-fc.com>

ALJ Jonsson:

Red Pine/Hidden Creek HOAs do not oppose the Motion to Stay the Direct Testimony filing date in Docket No. 15-098-01. Please let me know if you have any questions.

Brian

Brian W. Burnett  
Attorney At Law



Zions Bank Building, Suite 900  
10 East South Temple

Salt Lake City, Utah 84133

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brianburnett@cnmlaw.com

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Jennie Jonsson <jjonsson@utah.gov>

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**Docket Nos. 14-098-01, 15-2025-01, and 15-2280-01 - Community Water -  
Request for Stay of Filing Deadline**

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Scott Murri <scottm@fredericksonmurri.com>  
To: Jennie Jonsson <jjonsson@utah.gov>

Fri, Dec 18, 2015 at 5:55 AM

Judge

I do not object to the motion.

Thank you,

Scott H Murri CPA  
Sent from my iPhone  
[Quoted text hidden]

CERTIFICATE OF SERVICE

I CERTIFY that on the 18<sup>th</sup> day of December, 2015, a true and correct copy of the foregoing was served upon the following as indicated below:

By U.S. Mail:

Francis Amendola  
Option A LLC  
PO Box 381  
Park City, UT 84060

Scott H. Murri, CPA  
Nelson Murri  
2180 S 1300 E, Suite 330  
Salt Lake City, UT 84106

Terry Lange  
President, Red Pine HOA  
1416 Edgcumbe Road  
St. Paul, MN 55116

By Electronic-Mail:

Justin Atwater ([jatwater@tc-fc.com](mailto:jatwater@tc-fc.com))  
Community Water Company, LLC  
*Counsel for Community Water Company*

Spencer White ([swhite@replayresorts.com](mailto:swhite@replayresorts.com))  
Community Water Company, LLC

Francis Amendola ([dolas@comcast.net](mailto:dolas@comcast.net))

Scott H. Murri ([smurri@nelsonmurri.com](mailto:smurri@nelsonmurri.com))

Terry Lange ([tlange55@comcast.net](mailto:tlange55@comcast.net))

Guy Rawson ([808rawson@gmail.com](mailto:808rawson@gmail.com))

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

DOCKET NO. 15-098-01

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By Hand-Delivery:

Division of Public Utilities  
160 East 300 South, 4<sup>th</sup> Floor  
Salt Lake City, Utah 84111

Office of Consumer Services  
160 East 300 South, 2<sup>nd</sup> Floor  
Salt Lake City, Utah 84111

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Administrative Assistant