

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of Community Water Company for Approval of General Rate Increase	<u>DOCKET NO. 15-098-01</u> <u>REPORT AND ORDER</u> <u>OF DISMISSAL</u>
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ISSUED: December 30, 2015

On July 23, 2015, Community Water Company (CWC) filed with the Public Service Commission of Utah (Commission) this application for a general rate increase.

On October 7, 2015, Francis Amendola and Scott Murri separately petitioned to intervene in this docket. The Commission granted the petitions on October 29, 2015.

On October 9, 2015, Terry Lange petitioned to intervene in this docket. The Commission granted the petition on October 29, 2015.

On November 18, 2015, Guy E. Rawson, President of Hidden Creek HOA, petitioned to intervene in this docket. The Commission granted the petition on December 9, 2015.

On December 8, 2015, Red Pine HOA and Hidden Creek HOA jointly petitioned to intervene in this docket. As of the date of this order, the petition remains pending.

On December 17, 2015, CWC notified the presiding officer and the other parties to this docket that it intended to file a motion to dismiss its application. On December 21, 2015, CWC electronically filed its motion to dismiss,¹ stating that the company has become aware of information that might allow it to meet its revenue requirements without increasing rates. However, CWC needs time to review the information and study all possible options.

¹ On December 29, 2015, CWC filed a physical copy of the motion for docketing.

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On December 28, 2015, the Division of Public Utilities (Division) filed a response to CWC's motion to dismiss. The Division does not oppose the motion. However, the Division indicates that, if the motion is granted, the Division will remain in contact with CWC to ensure that the company makes adequate progress in reviewing its options and adopting a mechanism for meeting its revenue requirements. If the Division has concerns, it will initiate a rate case.

As of the date of this order, no other party has filed a response to CWC's motion to dismiss.

ORDER

Noting the lack of opposition to the motion and the Division's commitment to maintain oversight of the company's circumstances, the Commission grants Community Water Company's motion and dismisses Docket No. 15-098-01.

DATED at Salt Lake City, Utah, this 30th day of December, 2015.

/s/ Jennie T. Jonsson
Administrative Law Judge

Approved and confirmed this 30th 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#271193

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 30th 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
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President, Red Pine HOA
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By Electronic-Mail:

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By Hand-Delivery:

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Office of Consumer Services
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Administrative Assistant