



State of Utah
Department of Commerce
Division of Public Utilities

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MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Bill Duncan, Telecommunications / Water Manager *BD*
Mark Long, Utility Analyst *ML*

Date: April, 27, 2016

Re: In the Matter of Storm Haven Sewer Company and Storm Haven Water Company, Inc.
Docket Nos. 96-014-01 and 05-014-01, respectively.

RECOMMENDATION:

The Division of Public Utilities (Division) recommends that the Public Service Commission of Utah (Commission) cancel CPCNs, No. 2028 held by Storm Haven Sewer Company and No. 1790, held by Storm Haven Water Company, Inc.

Background on Company:

Storm Haven Sewer was granted CPCN 2028 in January 1996 in Docket No. 96-014-01 and Storm Haven Water was granted CPCN 1790 in May 2005 in Docket No. 05-014-01. Storm Haven serviced approximately 55 culinary water and sewer connections before being turned over to Daniel Municipal Water.

Explanation:

The Division was recently notified that Storm Haven Sewer and Storm Haven Water have been dissolved and taken over by Daniel Municipal Water in August 2015. The town of Daniel, UT is located approximately three miles from Heber City, UT.

Since the town of Daniel has now been granted ownership and control of Storm Haven Water and Storm Haven Sewer, these entities no longer meet the definition of a public utility.

See U.C.54-2-1(25)

(a) “Sewerage corporation” includes every corporation and person, their lessees, trustees, and receivers, owning, controlling, operating, or managing any sewerage system for public service within this state.

(b) “Sewerage corporation” does not include private sewerage companies engaged in disposing of sewage only for their stockholders, or towns, cities, counties, conservancy districts, improvement districts, or other governmental units created or organized under any general or special law of this state.

Also, see U.C. 54-2-1(32)

“Water corporation” includes every corporation and person, their lessees, trustees, and receivers, owning, controlling, operating, or managing any water system for public service within this state. It does not include private irrigation companies engaged in distributing water only to their stockholders, or towns, cities, counties, water conservancy districts, improvement districts, or other governmental units created or organized under any general or special law of this state.

For more details regarding the dissolution, please see attached letter from the City Engineer for the Town of Daniel, UT, Epic Engineering.

CC: Blake Hansen, Epic Engineering (bhansen@epiceng.net)
Lynne Shindurling, Clerk/Recorder for Town of Daniel, UT
(lynneshindurling@danielutah.org)