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Department of Commerce

Division of Public Utilities

FRANCINE GIANI CHRIS PARKER
Executive Director *Director, Division of Public Utilities*

Action Request Response

To: Utah Public Service Commission
From: Utah Division of Public Utilities
Chris Parker, Director
Doug Wheelwright, Utility Technical Consultant Supervisor
Gary Smith, Utility Analyst
Date: December 20, 2019
Re: **Docket No. 18-098-01**, Request of Community Water Company for Exemption

Recommendation (Approve Cancellation of CPCN)

The Utah Division of Public Utilities (Division) recommends that the Public Service Commission of Utah (Commission) cancel the Certificate of Public Convenience and Necessity (CPCN) No. 2171 held by Community Water Company (CWC).

Background

CWC operates as a public utility rendering culinary water service (for domestic and exterior use) to retail customers in Summit County, Utah. CWC was issued CPCN No. 2171 by the Commission in Docket No. 84-098-01 on December 3, 1985. CWC is subject to the Commission's jurisdiction with respect to prices and terms of water service to these customers.

Explanation

On or about July 25, 2018, CWC filed a request for exemption from Commission jurisdiction under Docket No. 18-098-01. CWC included documentation related to CWC's annexation by Mountain Regional Water Special Service District (MRSSD).

On August 20 and 22, 2018, the Division advised the Commission that it had not received sufficient documentation evidencing the completion of CWC's annexation by MRSSD, and a review should be considered upon receipt of additional documentation.

On or about November 21, 2019, CWC filed documentation evidencing the completed annexation of CWC by MRSSD. The Division has reviewed these documents and has confirmed that CWC's water system has been transferred to MRSSD.

The transfer of CWC to MRSSD is in the public interest. The transfer allows CWC's customers to be included in a larger customer base with full-time water management, providing stability to CWC's system and rates.

As MRSSD is a regional public water supplier and special service district in Summit County, Utah, and is not under Commission jurisdiction as defined in Utah Code Title 54-2-1 (35), the Division recommends the cancelation of CWC's CPCN No. 2171.

Conclusion

The Division recommends the cancelation of CWC's CPCN No. 2171.