

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Request of Community Water Company for Exemption	<p style="text-align: center;"><u>DOCKET NO. 18-098-01</u></p> <p style="text-align: center;"><u>ORDER CANCELING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY</u> <u>NO. 2171</u></p>
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ISSUED: January 9, 2020

On July 25, 2018, Community Water Company (CWC) filed a request for exemption from the Public Service Commission's (PSC) jurisdiction, explaining it was being annexed by Mountain Regional Water Special Service District (MRSSD), and it anticipated the closing of an annexation agreement to occur on or prior to August 31, 2018. CWC requested the PSC issue an order of exemption to CWC to be effective upon closing of the annexation agreement.

In comments filed August 20 and 22, 2018, the Division of Public Utilities (DPU) advised the PSC that the annexation was not yet finalized and that the August 31, 2018 target date was optimistic in light of the outstanding items necessary to finalize the transaction. The DPU recommended the PSC not cancel CWC's certificate of public convenience and necessity (CPCN) until the DPU received confirmation the parties had finalized the annexation.

On October 24, 2018, the PSC issued a notice explaining it would take no further action in the docket until and unless a party filed confirmation the annexation had taken place or otherwise requested action from the PSC.

On November 21, 2019, CWC filed a renewed request for exemption along with a copy of its Annexation and Asset Acquisition Agreement with MRSSD. On December 20, 2019, the DPU filed comments confirming CWC has transferred its water system to MRSSD. The DPU represents the "transfer allows CWC's customers to be included in a larger customer base with

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full-time water management, providing stability to [the] system and rates.” The DPU notes that MRSSD is not subject to PSC jurisdiction and represents cancelation of CWC’s CPCN is in the public interest in light of the annexation.

Based on the foregoing and there being no opposition, the PSC finds cancelation of CWC’s CPCN is in the public interest. Accordingly, CPCN No. 2171, which was issued to CWC on December 3, 1985, is canceled, effective January 9, 2020.

DATED at Salt Lake City, Utah, January 9, 2020.

/s/ Michael J. Hammer  
Presiding Officer

Approved and Confirmed January 9, 2020, 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  
PSC Secretary  
DW#311714

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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 written order by filing a request for review or rehearing with the PSC 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 PSC 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 PSC'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 January 9, 2020, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

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

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Division of Public Utilities

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Administrative Assistant