

Legal name of applicant (company name): M<sup>s</sup> Brite enterprises / Pine meadows Pwd



## Questionnaire

Please fill out the following questionnaire to assist you in determining if you are subject to PSC regulation. *(Please check only one for each question.)*

**Q1. Is this company providing water to anyone other than the owner (two houses or more)?:**

**Yes**

If "Yes" then please continue to **Question Q2.**

**No**

If "No": then this company or water distribution system is not subject to PSC regulation. You are not required to register with the PSC at this time. If your circumstances change, you may be required to register with the PSC at a later time.

**Q2. Is the company serving its members only and not to the public generally?**

**Yes**

If "Yes" then this company appears to meet the criteria to be exempt from PSC regulation. Please complete and provide the information requested in **Section A** and **Section C.**

**No**

If "No" then this company meets the criteria requiring it to be regulated by the PSC. Please complete and provide the information requested in **Section A, Section B** and **Section C.**

Legal name of applicant (company name): RENAL McBride



**Items to be included with this application for ALL applicants, both regulated and exempt.**

The following documentation **MUST** be provided with this application to be considered complete. Incomplete applications will **NOT** be considered.

- A copy of your Business License verifying proof of authority to conduct business in Utah.
- Verification of the review and approval of the water system by the Division of Drinking Water. *IN PROCESS OF GETTING IT*
- Certified copy of the articles of incorporation and by-laws. (Whatever restrictions there are in use of water on an annual basis should be explained in by-laws, restrictive covenants and protective covenants.)
- Proof of ownership of water rights, in the name of the company sufficient to provide the water promised to each customer. (Water rights must be held by the water company for the use of the shareholders or customers of the company. Water rights must stay with the water company in the event a lot is sold rather than with the lot owner.)
- Proof of ownership of sufficient water storage.
- Proof of ownership of an approved water source with sufficient water flow.
- A balance sheet for the water company.
- A historical operating statement if the water company is already operating, a projected statement if not yet operating.
- All phases of a proposed development should be identified in the application whether they are to be developed immediately or not. Otherwise, an additional application may be required for each additional phase before the Public Service Commission will give plan approval.
- Maps (8 1/2" by 11") showing the location of water system relative to nearby towns and highways and the proposed platted subdivision.

The above list covers the items of interest to the Division of Public Utilities. The list does not necessarily include all items the Public Service Commission and the Division of Public Utilities need to review in the application procedure. Additional items may be requested as the Division and Commission become more familiar with the applicant's particular circumstances.

Legal name of applicant (company name):

N/A



**Additional items to be included with this application for applicants applying for authority to operate as a regulated public utility.**

The following documentation **MUST** be provided with this application to be considered complete. Incomplete applications will **NOT** be considered.

1

**A Proposed TARIFF**

Proposed tariff should include proposed rates and service rules and regulations. Applicant's tariff must comply with the format, construction and elements as set forth in Utah Administrative Rule : R746-405 < Use Ctrl+Click to follow link >

2

**Rates**

For item 2, please select one of the following regarding rates and provide the information requested.

**Proposed rates will cover the entire cost of service.**

Please provide calculations to show that the proposed rates are reasonable based upon actual cost of service.

OR

**Developer agrees to subsidize costs.**

A statement that the proposed rates are less than the full cost of service but that the developer will subsidize such rates until the system has enough customers on line to operate and cover costs at the proposed rates.

3

**A balance sheet for the developer.**

If the water company is to be, or was, constructed by a developer please provide a personal balance sheet for the developer to ensure that funds are available for the operations of the water company.

The above list covers the items of interest to the Division of Public Utilities. The list does not necessarily include all items the Public Service Commission and the Division of Public Utilities need to review in the application procedure. Additional items may be requested as the Division and Commission become more familiar with the applicant's particular circumstances.



**Application**

The following information **MUST** be provided with this application to be considered complete. Incomplete applications will **NOT** be considered.

1. Legal name of applicant (company name): Rennal McBride

2. Principal office address, phone number and email address:

Address: P.O. Box 95784

Address: \_\_\_\_\_

City: S.J State: UT ZIP: 84095

Phone No.: 801-560-0991 Email address: RennalMcBride@Gmail.com

*N/A* 3. Name of the state in which applicant is incorporated and date of incorporation

Name of State: \_\_\_\_\_ Date of Incorporation: \_\_\_\_\_

*(A certified copy of the Articles of Incorporation and By-laws should accompany this application).*

If not incorporated, describe the type of organization and state in which it is organized.

[Empty rectangular box for describing organization type and state]

4. The officers and directors (or partners) of the applicant are as follows:

Name	Title	Phone #	Email

5. The type of service (water, sewer or both) which applicant proposes to render is:  
(Please check the services that apply.)

Water Only     Sewer Only     Both Water and Sewer

6. If the applicant is conducting operations at present, please enter the date applicant commenced rendering such service: July 2016

7. How Many Connections will the company serve and type (residential/commercial)?

Residential Customers: 70

Commercial Customers: \_\_\_\_\_

Total Number of Customers: 70

8. The names of any water companies that are providing (or proposing to provide) similar service near or in any part of the area covered by this applicant are as follows:

Ashley Valley water providing water; we r distributing at our cost.



**Applicant Must Sign and Date below:**

I certify that to the best of my knowledge the above information is true, accurate and complete. I am in compliance with and agree to comply with all regulations and requirements of all State and local government agencies.

Legal name of applicant (company name): Rental M<sup>S</sup> Bride

Sign Here:  Date: 8-7-18

Your Name: Rental M<sup>S</sup> Bride Title: Owner  
(Please enter electronically or print clearly)

This Application covers the items of interest to the Division of Public Utilities. The list does not necessarily include all items the Public Service Commission and the Division of Public Utilities need to review in the application procedure. Additional items may be requested as the Division and Commission become more familiar with the applicant's particular circumstances.

If you have any questions regarding the information, the Division is requesting, please feel free to contact us at (800) 874-0904 or (801) 530-7622.

✓ **PSC Filing Requirements**

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Public Service Commission (PSC) Filing Requirements and Submissions may be found on-line at the following site:

<https://psc.utah.gov/psc-filing-requirements/>

If you have any questions regarding the PSC Filing Requirements, please contact the PSC at 801 530-6716

**Please Note**

A complete application includes all pages of the application (you may omit the first page that contains the laws and rules), all requested documentation and an original signature on the signature page.

Electronic copies should include all files in their native formats. For example, all spreadsheets should be in their original EXCEL format and documents should be in their original WORD format. Files formatted as Adobe PDF are acceptable to use for documents that must be copied or scanned from an original source.

**(A \$100.00 filing fee must accompany this application. If applying for an EXEMPTION the \$100 fee is waived.)**

## **Application for Public Service Commission Regulation or Exemption for Water and Wastewater Companies**

Enclosed is an application designed by the Division of Public Utilities (DPU) intended to assist an applicant in determining if a water system qualifies as a public utility and is subject to regulation by the Utah Public Service Commission (PSC or Commission) and in providing the appropriate information to the PSC.

In the regulation of water companies, the PSC can issue one of two different designations. The first is a Certificate of Public Convenience and Necessity (CPCN). A CPCN is required for any public utility providing service to the public generally. A company with this designation would be regulated by the Public Service Commission. The second designation is a Letter of Exemption (LOE). An LOE is provided to companies providing water service that is limited to its shareholders only and is not delivered to the public. So long as the company serves only its shareholders, it is not serving the public generally. It is irrelevant how a member acquires their shareholder status (acquires shares) so long as a member's rights and duties are different than those of nonmembers.

Below is a list of governing rules that will help provide guidance in filing an application with the Public Service Commission. This list is not a complete list of rules that a company may need when applying for a CPCN or LOE.

**Utah Code: 54-2-1** < *Click on link* >

Definitions (21) (a). "Public Utility includes ... water corporations [and] sewerage corporations ... where the service is performed for, or the commodity delivered to, the public generally..."

**Utah Code: 54-4-25** < *Click on link* >

Certificate of convenience and necessity prerequisite to construction and operation.

**Utah Code: 54-4a-6** < *Click on link* >

Objectives of Commission

**Utah Administrative Rule: R746-330** < *Click on link* >

Rules for Water and Sewer Utilities Operating in Utah.

**Utah Administrative Rule: R746-332** < *Click on link* >

Depreciation Rates for Water Utilities.

**Utah Administrative Rule: R746-401** < *Click on link* >

Reporting of Construction, Purchase, Acquisition, Sale, Transfer or Disposition of Assets.

**Utah Administrative Rule: R746-405** < *Click on link* >

Filing of Tariffs (Including Formatting and Construction requirements.)

*PSC@utah.gov*



State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

Department of  
Environmental Quality

Alan Mathison  
Executive Director

DIVISION OF DRINKING WATER  
Marie E. Owens, P.E.  
Director

August 23, 2018

Renn McBride  
Pine Meadows PUD  
P.O. Box 95784  
South Jordan, Utah 84095

Subject: ~~After-the-Fact System Approval and Operating Permit for Pine Meadows PUD,  
System #24049, File #10913.~~

Dear Mr. McBride:

On January 19, 2017 the Division of Drinking Water (Division) contacted Nathan Hall, the Uintah Basin DEQ District Engineer (DE), and asked him investigate a report that the Pine Meadows PUD trailer court (Pine Meadows) met the definition of being a public water system. After investigation, it was determined on January 23, 2017 (by Division staff and the DE) that Pine Meadows does meet the definition of a public system and the matter was referred to the Utah Office of Attorney General to prepare an Initial Order. On September 12, 2017 the Division issued the Initial Order with the following requirements related to approval of the water system:

1. Obtain an operating permit from the Division for the system, including its drinking water sources.
2. Submit a New Public Water System Supplemental Form to the Division.
3. Submit an Engineering Evaluation Report, prepared by a consulting engineer, to the Division.
4. Have a Sanitary Survey of the system completed by a Division representative.
5. Submit a Capacity Development Evaluation to the Division.

In October of 2017 you started the legal process to appeal the Initial Order. The Initial Order remains in effect although it is on appeal.

On July 25, 2018 an onsite inspection was conducted by the Uintah Basin DE to perform a Sanitary Survey and review the system infrastructure. On August 3, 2018 a storage allocation letter was received by the Division from Ashley Valley Water and Sewer ID (AVWID) and a New System Supplemental Form was received by the Division.

194 North 1950 West - Salt Lake City, UT  
Mailing Address: P.O. Box 144930 - Salt Lake City, UT 84114-4930  
Telephone (801) 536-4200 - Fax (801) 536-4211 • TDD/TELE (801) 903-3978

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Sanitary Survey / System Inspection

On July 25, 2018 our Uintah Basin DEQ District Engineer, Nathan Hall, conducted an inspection of the Pine Meadows water system, and concluded that a separate Engineering Report prepared by a consulting engineer was not needed, based on the following:

1. The system consists of only two master meters providing water to separate water lines on each side of 750 North, and about 3700 feet of PVC distribution line (DS001).
2. Based on available maps and viewing locations of water connections and sewer cleanouts, it appears the water and sewer separation is about 20 feet.
3. Fire protection is provided by the 8-inch diameter water main in 750 North that is operated and maintained by AVWID.
4. The source of water for the system (WS001) is a consecutive connection to AVWID, which is an approved Public Drinking Water System source. This connection can provide much more than the calculated 47 gpm required source capacity. Furthermore, this calculated source capacity - based on current Division requirements - is much more than the actual system peak day demand of 20 gpm as determined by Pine Meadows PUD from meter readings.
5. Based on pressure readings taken at the site, pressures exceed Division requirements.
6. As noted in the Initial Order, source protection requirements do not apply to the consecutive connection to AVWID.
7. Per current Division rules, the Pine Meadow system is required to have a little less than 40,000 gallons of storage. The Division has received a letter from AVWID documenting that they have allocated up to 40,000 gallons of storage to the Pine Meadow water system. As AVWID noted in their letter, this does not change the required storage for AVWID because prior to Pine Meadows becoming a stand-alone public system, AVWID was already providing the storage for domestic demand associated with Pine Meadows. Now that they have allocated the storage, the connections associated with Pine Meadows can be removed from the AVWID storage calculations.
8. Routine samples absent for Total Coliform bacteria have been received by the Division.

Based on a review of the Pine Meadows water system by the Division as outlined in this letter, the water system basically complies with applicable portions of *Utah's Administrative Rules for Public Drinking Water Systems in R309*. On this basis, an **Operating Permit for Pine Meadows PUD Source (WS001) and distribution system (DS001)** is hereby issued as constituted by this letter.

If this Operating Permit changes any of your monitoring requirements, the staff of the Rules Section will follow up to provide you an updated monitoring schedule and/or inventory report. Please contact Rachael Cassidy at (801) 536-4467 or [rcassady@utah.gov](mailto:rcassady@utah.gov) for questions regarding the monitoring and reporting requirements for your water system.

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The issuance of this Operating Permit resolves several of your water system's deficiencies related to **Water System Plan Approval (50 points)**, **Source Lacks Plan Approval (200 points)** and **System Lacks Required Storage Capacity (50 points)**. The Rules Section staff will update your IPS report and contact you when the updated report is available at <https://waterlink.utah.gov>. Please contact Jennifer Yee at (801) 536-4216 or [jyee@utah.gov](mailto:jyee@utah.gov) for questions related to your water system's IPS report or deficiencies.

#### Capacity Assessment & Evaluation

Based on the Division's review of responses you provided in the Capacity Assessment Worksheet and information in Division records, the Division believes the system's technical and managerial capacity is basically satisfactory, with some improvement needed as outlined below.

You are commended for working towards maintaining a backflow and cross-connection control program, as well as a leak detection and repair program. The cross-connection control plan in particular is required by the Division.

You are commended for working toward becoming a certified operator. Having a certified operator in direct responsible charge of the water system is required by the Division and is an added advantage in maintaining a technically sound water system.

Your worksheet responses indicate that you don't have an Emergency Response Plan yet. The Division highly recommends having this plan in place so that the system is more prepared to handle unforeseen incidents in a proper way without going through much damage and trouble to the water system and customers.

The Division suggests that your financial planning mechanism be updated by setting an annual budget, capital improvement plan, scheduling and committing capital projects and long-term planning analysis.

The Division is of the opinion that the system should establish a clear plan of organization and control among the people responsible for management and operation including scheduling of work. The system needs to develop and implement its own policies, rules and regulations for customer rights and responsibilities. In addition, there should be explicit rules and standards for system modification as well as detailed standards and specifications for construction. Overall, the worksheet answers indicate that your water system appears to be satisfactorily managed.

Pine Meadows PUD is to be commended for moving forward to develop the water system and strengthen its capacity and assure compliance with SDWA and the national public drinking water regulations as well as provide an adequate supply of safe drinking water to your consumers. The Division also believes that by implementing the submitted Capacity Assessment, Pine Meadows PUD will acquire and maintain adequate technical and managerial capacity to comply with SDWA and the national public drinking water regulations.

This letter only addresses the Plan Approval and Capacity Development sections of the Initial Order. The other requirements relating to Cross Connection, Operator Certification, Consumer

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Confidence Reports and Monitoring and Reporting Requirements will be addressed separately by the Rules and Technical Assistance sections of the Division.

Please maintain a copy of this letter with your permanent records for future reference. If you have any questions regarding this letter, please contact Nathan Hall, P.E., TriCounty District Engineer at (435) 247-1167, or Nathan Lunstad, Permitting Section Manager, at (385) 239-5974.

Sincerely,



Mark E. Owens, P.E.  
Director

NDH/ND/MLL

cc: Darin Brown, TriCounty Health Department, dbrown@tricountyhealth.com  
Renn McBride, Pine Meadows PUD, rennmcbride@gmail.com  
David Hatch, Ashley Valley Water and Sewer ID, davidhatch@avwsid.com  
Nathan Hall, DEQ District Engineer, nhall@utah.gov  
Rachael Cassidy, Division of Drinking Water, rcassidy@utah.gov (Rules)  
Randi Ryan, Division of Drinking Water, rryan@utah.gov (Disinfection & DBP)  
Emily Frary, Division of Drinking Water, emilyfrary@utah.gov (Arsenic, inorganics, organics, NO3, rad)  
Matt Wycoff, Division of Drinking Water, mwycoff@utah.gov (Lead and Copper)  
Jennifer Yee, Division of Drinking Water, jyee@utah.gov (IPS)  
Cait Smith, Division of Drinking Water, csmith@utah.gov (Enforcement)  
Brandi Smith, Division of Drinking Water, brandismith@utah.gov (CCR, UCMR, enforcement)  
Michal Grange, Division of Drinking Water, mgrange@utah.gov (Operator Certification)  
Gary Rager, Division of Drinking Water, grager@utah.gov (Cross Connection Control Program)  
Deidre Beck, Division of Drinking Water, dbeck@utah.gov (Source Protection)  
Nagendra Dev, Division of Drinking Water, ndev@utah.gov (Capacity Development)  
Bret Randall, Utah Assistant Attorney General, brandall@agutah.gov

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