



State of Utah  
Department of Commerce  
Division of Public Utilities

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## Action Request Response

**To:** Utah Public Service Commission  
**From:** Utah Division of Public Utilities  
Chris Parker, Director  
William Duncan, Manager  
Shauna Benvegna-Springer, Utility Technical Consultant  
**Date:** February 14, 2019  
**Re:** Notice of Sale of Canaan Springs Water Company  
Docket Number 19-2498-01

### **RECOMMENDATION (Approval):**

The Division of Public Utilities (“Division”) has reviewed the notice by Canaan Springs Water Company (“Company”) to cancel its Certificate of Public Convenience and Necessity (“CPCN”) (Certificate #2498) to provide water service to thirteen customers in the Canaan Mountain East Subdivision adjacent to Apple Valley City in Washington County, Utah. The Division recommends the Public Service Commission (“Commission”) cancel the CPCN.

### **EXPLANATION:**

On January 14, 2019, the Company emailed a notice to the Commission indicating the Company “was now closed.” The Division has been in contact with the officers of Big Plains Water and Sewer Special Service District (“Big Plains”) (Ben Billingsley, Finance Director, Rod Mills, Engineer and Dale Harris, Water Superintendent), Kirk Webb of the Company, and Jeff McKenna, attorney for the Company.

The Division investigated the transaction and found the following:

- On May 16, 2015, Merlin Webb, the owner of the Company died and the Company transferred to his four children; Kelland Webb, Scottsdale AZ, Kirk Webb, Hurricane UT, Kristal Markham, Flagstaff AZ and Kendra Webb Phoenix AZ.
- The children decided to liquidate the Company. The siblings approached Big Plains to negotiate an agreement.
- On or about June 21, 2018, the Company was purchased by Big Plains.
- In August 2018, Big Plains was transferred to Washington County from Apple Valley City.
- On January 1, 2019, Big Plains was transferred to Apple Valley Town.
- The purchase, control and transfer of the infrastructure, assets, liabilities and thirteen customers of the Company were completed with Big Plains on or before January 1, 2019.

It appears the Company has complied with the rules as required under Administrative Rule R746-401-3 (B-F). Accordingly, the Commission should cancel the CPCN.

cc: Kirk Webb, Canaan Springs Water Company  
Patricia Schmid, Assistant Attorney General, State of Utah  
Office of Consumer Services, State of Utah