PUBLIC SERVICE COMMISSION

Docket No. 21-001-01

HEARING

February 09, 2022

ADVANCED REPORTING SOLUTIONS

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1	- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -
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3	Bridgerland Water Company's) DOCKET NO. 21-001-01 Application for Culinary)
4	Water Rate Increase))
5)
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7	HEARING
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9	Held virtually on,
10	Wednesday, February 9, 2022
11	At 10:01 a.m.
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25	Reported by: Christina Essi, RPR, CSR
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1	MS. HOGLE: Good morning everyone. It is
2	10 o'clock in the morning on February 9th, 2022. We
3	are here to consider the settlement stipulation that
4	was filed in the matter of Bridgerland Water Company's
5	request for a rate increase, Docket Number 21-001-01.
6	My name is Yvonne Hogle and I'm the Commission's
7	designated presiding officer for this hearing. At
8	this time, I'd like to take appearances for the
9	record, please, starting with the applicant.
10	MS. HENINGER: Oh, is that me? This is
11	where I read just introduce myself?
12	MS. HOGLE: Yes, please.
13	MS. HENINGER: Oh, my name is Tana Heninger.
14	I'm the Vice President of Bridgerland Water Company.
15	MS. HOGLE: Okay, thank you, Ms. Heninger.
16	And for the Division, please.
17	MS. SCHMID: Patricia Schmid, representing
18	the Division. With me is the Division's witness, Mark
19	Long. Thank you.
20	MS. HOGLE: Okay. So, Ms. Heninger, is
21	there anybody who is going to help you go through the
22	process of introducing the evidence, putting you on
23	the stand? Or I can guide you through that, or
24	Ms. Schmid can probably would also be able to help
25	with that. Am I correct that you don't have an

1	attorney?
2	MS. HENINGER: Yes, that's correct.
3	MS. HOGLE: Okay. And do you know how this
4	process works?
5	MS. HENINGER: I think so. I've been
6	prepared by Mark Long and I read through transcripts
7	and I have a statement prepared with the information,
8	so I think I'm okay.
9	MS. HOGLE: Okay, perfect. Okay, let's
10	start then. Let's start by swearing you in. Do you
11	swear to tell the truth?
12	MS. HENINGER: Yes.
13	MS. HOGLE: Okay. So at this time,
14	Ms. Heninger, will you please, for the record,
15	introduce yourself, who you work for, and what you're
16	doing today?
17	MS. HENINGER: Okay. So as I said before,
18	my name is Tana Heninger. I'm Vice President of
19	Bridgerland Water Company. The matter before the PSC
20	today is Bridgerland seeking a rate increase to go
21	into effect on April 1st, 2022. Bridgerland also has
22	entered into a stipulation settlement to increase
23	rates, change various fees, and update our tariff.
24	From a management structure, we have five members on
25	our board: Myself, my parents, Ted and Dixie Wilson,

and my two brothers, Rob and Mike Wilson. 1 We all work 2 together and have worked together on this rate review. 3 We're all in full agreement with where we are today. 4 The water company was built and is managed and maintained by Ted and Dixie Wilson, the original 5 6 owner/developer of Bridgerland Village in Garden City, Three years ago, my two brothers and I were 7 Utah. asked to help our parents. Because of their age and 8 9 declining health, they no longer felt they could carry 10 the burden. To my knowledge, the system has been run 11 and maintained properly and has never had to have a 12 boil order or be shut down in its history. Since its 13 beginning, Ted and Dixie have taken little to no 14 compensation for the running of the Company and have 15 heavily subsidized the Company with their own money. 16 The three of us children could see right away that we 17 would not be able to subsidize the Company as my 18 parents have done, and we initially offered to give it 19 to Garden City, which they declined. So we set about 20 working out a plan to make it solvent and maintained 21 properly.

Culinary water comes from one source, Payne Spring. It has been a reliable and clean aquifer. We're in the process of connecting onto Garden City Water System, which we are under contract to do. This

1	will give the Bridgerland Water Company a second and
2	reliable source if needed. Payne Spring gives
3	adequate supply, even during the heavy use season.
4	Users aren't discouraged from watering outside. The
5	system is meant for culinary water use only and the
6	HOA covenant states this fact. There are a few
7	homeowners who are overusing, and a rate increase with
8	tiers will deter them from wasting water outside.
9	Now that Ted and Dixie no longer can or are
10	willing to run the water company for free, it is
11	necessary to hire a manager. It is also necessary to
12	make some improvements outside of just fixing leaks
13	and breakages, which is all they really have been able
14	to do for the last 10-plus years. But the current
15	budget does not have enough cash flow to do so. It is
16	the intention of the Company to hire a full-time
17	manager, along with a part-time book keeper, as well
18	as make some system improvements. Specific
19	improvements would be, but not limited to, automating
20	with a telemetry system, replacing old meters with
21	radio-transmitted meters, rebuild an original pump
22	house and hooking onto Garden City's water system for
23	redundancy.

Our most recent rate increase was in 2005.
The system is now 50 years old and it seems to need

1 more and more maintenance. Rising costs to maintain 2 and fix the system make it prohibitive to keep the 3 system at the excellent level it needs to be. The 4 current rate does not allow for any improvements other 5 than fix-it projects. Each home pays -- currently, each home pays \$24 a month, which includes 6,000 6 gallons. After that, it costs a \$1.75 per 7 thousand gallons. Each lot owners pays \$10 a month as 8 a standby fee. We currently have 180 connected 9 10 customers and 254 standby customers. Full build-out 11 is those two numbers added together, 434. At the 12 current water usage rate and full build-out, we will 13 not have an adequate supply of water unless the HOA 14 improvements are adhered to and water conservation is 15 practiced in the summer.

16 On February 3rd, 2021, we notified the Commission of our intent to file for an increase in 17 water rates and sent a letter to all properties owners 18 19 On February 10th, 2021, the Commission of such. 20 instructed the Division to provide any necessary 21 assistance to Bridgerland to prepare the rate case. 22 On July 22nd, 2021, the Commission received a request 23 for approval of rate increase. On August 12th, 2021, 24 the Commission issued a scheduling order, notice of 25 hearing, and notice of public witness hearing.

1 Shortly after November 16th, 2021, we entered into 2 settlement discussions with the Division and on 3 January 24th, 2022, Bridgerland Water Company signed 4 the settlement stipulation and returned it to the Division for their signature. 5 The essential 6 components of the settlement agreement are the new rates and updated fees, as shown in the settlement 7 agreement in Tables 1 and 2, and the updated tariff 8 9 sheet primarily involving housekeeping matters as 10 shown in Attachments A and B. On February 10th, 2021, a letter was sent to 11 12 all customers, via US Mail, providing notice at 13 Bridgerland's intent to file a rate case. This 14 correspondence referenced the Commission's website, 15 listed the docket number, and encouraged its customers 16 to check the website often to keep up-to-date on 17 future filings and information. 18 In 2021 Summer, at the HOA meeting, the rate 19 case was discussed with the attendees. Customers with 20 an email address on file were notified of a proposed 21 settlement agreement on January 7th, 2022. And on 22 January 8th, 2022, a letter was sent via US mail to 23 the remainder of the customers. This notice indicated 24 the dates and times of the hearing and public witness 25 hearing in this docket. Also in this notice, the

1	Company provided a direct link to the Commission's
2	website, Docket Number 20-001-01, encouraging its
3	customers to view the docket and contact Bridgerland
4	if they have questions. On January 14th, 2022, the
5	Commission issued notice that the in-person hearings
б	scheduled for February 9th, 2022 would be held
7	virtually. Also on January 14th, 2022, the Division
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8	filed a motion to suspend the schedule, except for the
8 9	hearing dates. Bridgerland supported the motion. On
9	hearing dates. Bridgerland supported the motion. On
9 10	hearing dates. Bridgerland supported the motion. On January 17th, Bridgerland properly sent its customers
9 10 11	hearing dates. Bridgerland supported the motion. On January 17th, Bridgerland properly sent its customers notice that the hearings scheduled for February 9th,
9 10 11 12	hearing dates. Bridgerland supported the motion. On January 17th, Bridgerland properly sent its customers notice that the hearings scheduled for February 9th, 2022 would be virtual and included the hearing link,

15 Three main issues have driven us to ask for The need to be solvent and not run 16 a rate increase: on a deficit any longer; second, the state requirement 17 18 of redundancy which means we need to connect onto 19 Garden City; and last, the fact that the system is 20 about at the end of its life and will need severe 21 maintenance over the next few years. Bridgerland 22 believes that the proposed rates, fees, and tariff 23 changes are just and reasonable and in the public interest. Thank you. 24

MS. HOGLE: Thank you, Ms. Heninger. You

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1	filed testimony, direct testimony on July 22nd, 2021;
2	is that correct?
3	MS. HENINGER: Yes.
4	MS. HOGLE: Okay. And so along with your
5	application and exhibits, I believe. Do you have any
6	changes that you would like to make to that testimony?
7	MS. HENINGER: No, I don't.
8	MS. HOGLE: Okay. So everything in the
9	testimony is the same, as it was in July when you
10	filed it; is that true?
11	MS. HENINGER: Yes.
12	MS. HOGLE: Okay. And would you like to
13	move for the admission of that testimony into the
14	record so the Commission can consider it?
15	MS. HENINGER: Yes.
16	MS. HOGLE: Okay. Thank you. Does the
17	Division have any objections?
18	MS. SCHMID: No objection.
19	MS. HOGLE: Okay. Then I will authorize the
20	admission of the testimony and any exhibits into the
21	record, Ms. Heninger. Thank you very much. I don't
22	have any more for you in that regard, and I'd like to
23	ask Ms. Scmid if the Division has any questions.
24	MS. SCHMID: The Division has just one
25	question. I'm asking this to clarify something.

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1 Could you please explain which lots pay the 2 standby fees and which lots pay the \$94 a month, under 3 the suggested rates? 4 MS. HENINGER: So if there is no home, meaning that they're not hooked on with the meter with 5 6 culinary, they pay the standby fee. If there is a home with a meter and that, then it's the -- then it's 7 -- currently it's \$24 a month, but proposed \$94 a 8 9 month. 10 MS. SCHMID: Thank you. The Division has no 11 more questions. 12 Okay, thank you. So now I'm MS. HOGLE: going to put my presiding officer hat on and I do want 13 14 to clarify something with you that I heard when you 15 testified. You indicated, I believe, that the notice 16 had a docket number of 20-001-01, and I just wanted to 17 make sure that you meant to say 21-001-01. And here 18 is why that's important. It's important that the 19 people who would be paying the increase know and be able to access the real docket. And so I just want to 20 21 make sure that my assumption is correct. 22 Yeah, that's correct. MS. HENINGER: I must 23 have misread it. Thank you. Yeah, that's what it 24 says in my notes also. 25 MS. HOGLE: Okay, perfect. I don't have any

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Thank you so much for your time this 1 questions. 2 morning. 3 At this time, I'd like to call the Division 4 of Public Utilities, please. MS. SCHMID: Thank you. The Division would 5 6 like to call Mr. Mark Long as its witness. May he 7 please be sworn. MS. HOGLE: Good morning, Mr. Long. I don't 8 9 see him, by the way. Do you swear to tell the truth? 10 MR. LONG: Yes, I do. 11 MS. HOGLE: Okay. I don't need to see him, 12 but -- okay, there you are. Good morning. 13 Okay, please proceed, Ms. Schmid. 14 MS. SCHMID: Thank you. 15 EXAMINATION 16 BY MS. SCHMID: 17 Q Mr. Long, could you please state your 18 employer, your business title, and your business address 19 for the record? 20 Α I'm a Utility Technical Consultant. Yes. Ι work for the Division of Public Utilities. 21 My address is 22 160 East 300 South, Salt Lake City, Utah. 23 Have you participated on behalf of the Q 24 Division in this docket? 25 Α Yes, I have.

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1	Q Could you please briefly describe your
2	involvement?
3	A Yes. I completed a review of the findings
4	for the Division. I also participated in settlement
5	discussions with the Company's vice president, Tana
6	Heninger, my managers at the Division, as well as the
7	Division's attorney, Trisha Schmid.
8	Q In conjunction with your involvement on
9	behalf of the Division, did you prepare or cause to be
10	prepared in file your direct testimony marked DPU 1.0
11	along with exhibits DPU 2.1-2.11, Exhibit 3A and 3B in
12	this docket?
13	A Yes, I did.
14	Q Do you have any changes or corrections to
15	that filing?
16	A No.
17	Q If I were to ask you the same questions
18	today, would your answers be the same as in that pre-file
19	testimony?
20	A Yes.
21	Q With that, the Division would like to move
22	for the admission of Mr. Long's testimony and
23	accompanying exhibits.
24	MS. HOGLE: Okay, thank you. Ms. Heninger,
25	I assume that you don't have any objection to that?

1	MS. HENINGER: No.
2	MS. HOGLE: Okay, thank you for that. They
3	are admitted. Thank you so much.
4	MS. SCHMID: Thank you. The Division would
5	also like to move for the admission of the settlement
6	stipulation filed in this docket.
7	MS. HOGLE: Okay. It is admitted. Thank
8	you.
9	MS. SCHMID: Thank you.
10	BY MS. SCHMID:
11	Q Mr. Long, do you have a summary to present
12	today?
13	A Yes, I do.
14	Q Please proceed.
15	A Okay. The Division reviewed Bridgerland's
16	rate increase application and over a dozen attachments.
17	The Division also received additional information from
18	it's annual reports are, Division of Drinking Water
19	reports, many emails, phone calls, and virtual meetings.
20	The Division's analysis show that the current rates no
21	longer cover fixed costs and did not have an effective
22	conservation rate with an increasing tiered rate
23	structure and, thus, were no longer just and reasonable.
24	Basic rate metering is pretty straightforward. Total
25	reasonable and prudent costs incurred by the water

company are divided by the number of customers, with some 1 2 modifications made to account for the differences of 3 connected customers standby customers.

4 Most Utahns pay low water rates because property taxes heavily subsidize a good number of Utah 5 6 water districts. Private water companies are often funded solely by their customers, but sometimes 7 contributions are made by property developers or charges 8 9 are not made for worker supplies. Absent funding from 10 some other source, private water companies have no 11 funding sources other than the rates and fees paid by 12 their customers. The Division notes that Bridgerland has 13 not had a rate increase since 2005.

14 Since its inception, Bridgerland was heavily 15 subsidized by its owners, Mr. and Mrs. Wilson, through 16 donating their labor and making cash infusions into water 17 company as needed. The Wilsons can no longer donate 18 their labor or continue making cash infusions, therefore, 19 customers must pay for the full cost of water. To comply 20 with a corrective action plan from the Utah Division of 21 Drinking Water, requiring a redundant source of water, 22 part of the costs covered in this rate increase is the 23 cost of Bridgerland to hook into Garden City's water 24 system. Ultimately, this will make it more conducive for 25 Garden City to take over the water company if that

situation should present itself sometime in the future.
 The Division worked closely with Bridgerland's Vice
 President Tana Heninger. She was very accommodating and
 had many good suggestions in creating new rates that
 adequately supported the Company while keeping rates as
 low as possible.

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The Division filed direct testimony on December 8th, 2021. The Division notes that all rebuttal -- all party rebuttal testimony was due on January 7th, 2022. No party filed rebuttal testimony or comments in the case. Additionally, Division records show there have been no informal or formal complaints filed against Bridgerland in at least the past six years.

14 Soon after the direct testimony was filed by 15 the Division, parties met to discuss the Division's 16 findings and conclusions. These discussions led to a 17 mutually-acceptable settlement agreement, with particular 18 importance to the Division were paragraphs 12, 13, and 14 19 of the stipulation. In paragraph 12, Table 1 of the 20 stipulation, a new rate model and price is represented, 21 which includes proposed rates and a rate structure that 22 covers all fixed costs and has an effective conservation 23 rate structure with increasing tiered rates. The 24 stipulation also includes changes to Bridgerland's set 25 fees that reflect increased prices and charges, in

1	paragraph 13 Table 2. The stipulation also includes
2	updated rules and regulations that apply to all regulated
3	water utilities, as discussed in paragraph 14,
4	attachments A and B. The rate structure, as proposed,
5	will provide additional funds in Bridgerland's capital
6	reserve account, which will also help with repairs and
7	replacements of an aging structure.
8	The Division believes the criteria for a
9	settlement, according to Utah Code 5471, have been met
10	and concludes that the evidence contained in the records
11	supports a finding that the settlement proposal is just
12	and reasonable in result and in the public interest.
13	Therefore, the Division recommends the Commission accept
14	the settlement stipulation as filed with the Commission
15	on January 25th, 2022, and approve the requested rate
16	increase with an effective date of April 1st, 2022.
17	That concludes my statement.
18	MS. SCHMID: Thank you. Mr. Long is
19	available for questions from the Company and from the
20	presiding officer.
21	MS. HOGLE: Ms. Heninger, do you have any
22	questions for Mr. Long?
23	MS. HENINGER: I do not, thank you.
24	MS. HOGLE: Thank you. Mr. Long, I just
25	have a few of them. Not very many at all.

1 Can you tell me how much of the proposed \$94 2 per month make up the conservation portion of the fee? 3 MR. LONG: The way the Division's rate model works is, \$94 covers all fixed expenses. 4 The tiered rates is where the conservation fee comes in. 5 And so the first tier is at cost and then it goes up 6 incrementally from there. 7 Okay, very good. 8 MS. HOGLE: I see. Tell me what part of the \$94 is to hook up to the Garden 9 10 City Water System. 11 MR. LONG: Let me review that really quick. 12I'm assuming that's not confidential, is it, Tana? 13 MS. HOGLE: She said no, for the record. 14 MR. LONG: Okay. In looking at this, if I take out the Garden City connection, the rates fall 15 16 from \$94 to \$77 a month. So what's that, \$14? 17 MS. HOGLE: Okay. Well, that is -- that 18 might explain the response to my next question, and 19 you can answer it if you want, but now that I know 20 that, maybe -- I'd still like to get it on the record 21 a little bit more clearly. 22 So you referenced the rate case of a water 23 company, I believe it was Pineview, in your direct testimony, as a reference for an order where we 24 25 approved an increase in a similar but smaller company,

1 I believe you said. And the rate that you proposed, 2 and that the parties agreed to in that case, went up 3 to \$70 per month. And so my question was, a year 4 later, how do you explain the jump from \$70 to \$94? And I believe you just testified that a large portion 5 of that difference makes up -- is made up of the 6 hookup to Garden City Water System; is that correct? 7 That's partly true. But each 8 MR. LONG: 9 water company has its own set of expenses. And this 10 one had different expenses than Pineview West did or 11 any other water company. So it's really hard to even 12compare the companies. I only mentioned it because 13 the variable rate was similar and the other rates 14 were, you know, within reason of that. 15 MS. HOGLE: Right. But for the requirement 16 to hook up to the Garden City Water System, you would 17 have proposed a \$77 rate, or the parties would have 18 proposed a \$77 rate; does that sound right? 19 Yes, that's correct. And also MR. LONG: 20 the standby rate would have been \$24, so it would have gone down a little bit also. 21 22 MS. HOGLE: Okay, perfect. 23 And, Ms. Heninger, yes, do you have a 24 comment or a question? 25 MS. HENINGER: So the state has required us

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1	to have a second source. And so our solution has been
2	to hook onto Garden City. But if we were not hooking
3	onto Garden City, we would still have another huge
4	expense, either drilling and developing our own well,
5	a new well. And so it's not just, oh, if we weren't
6	doing Garden City, then it would be 70. No, there
7	would be something else. This was, to us, the
8	cheapest, the most reliable way that we could comply
9	with their requirement that they've given us an
10	extension on because we've been trying to work this
11	out. So hopefully that explains a little bit better.
12	MS. HOGLE: Sure. I think that's good
13	supplemental information, so thank you for that
14	explanation.
15	And, Ms. Heninger, and I apologize for going
16	back and forth here, but you are both sworn. So I
17	want to go back. I forgot to ask you about this
18	before, but have you had any progress on hiring your
19	manager and your part-time book keeper?
20	MS. HENINGER: Well, right now, me and my
21	brothers are just doing it for free, but we're waiting
22	for the increase because we've got to be able to have
23	some money in order to hire someone. We have people
24	who help us and we've kind of pieced out some of it.
25	But really right now the lion's share is on us. And

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1	if we get this increase, then we do have a few people		
2	we want to reach out to, to see if they're interested,		
3	yes.		
4	MS. HOGLE: Okay. And does that include the		
5	family who potentially could fill this position, or		
6	are you hiring outside of the family?		
7	MS. HENINGER: We'd like to hire outside the		
8	family if can find the right fit. So myself and my		
9	two brothers, we have full-time jobs and so we would		
10	like to hire sometime outside if we could.		
11	MS. HOGLE: Okay, perfect. Thank you so		
12	much. I don't have any additional questions.		
13	Does anybody have anything else to add?		
14	Thank you, Mr. Long, for your testimony this		
15	morning. Your exhibits and your testimony were very		
16	thorough and helpful, so I thank you for that.		
17	MR. LONG: Thank you.		
18	MS. HOGLE: And I don't have any more		
19	questions for you.		
20	Ms. Schmid, do you have any followup or any		
21	additional information or anything that you would like		
22	to add or cover?		
23	MS. SCHMID: The Division has no followup		
24	questions for Mr. Long and has nothing else to		
25	present. Thank you very much.		

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1	MS. HOGLE: Okay, thank you. Ms. Heninger,
2	do you have anything else to add?
3	And she said I think she said no, we're
4	good.
5	MS. HENINGER: Sorry, I forgot this is
6	recording. We're good. I don't have anything further
7	to add.
8	MS. HOGLE: Okay. Well, thank you both for
9	your testimony this morning. We are aware of the
10	effective. Date and, of course, we will issue an
11	order, probably well before that date and I don't have
12	any other questions. There is a public hearing at
13	3 o'clock this afternoon, so let's come back at that
14	time, but as far as our evidence hearing today, we are
15	adjourned, thank you.
16	(Proceedings concluded at 10:31 a.m.)
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1	STATE OF UTAH)
2	COUNTY OF SALT LAKE)
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4	I, Christina Essi, RPR, a Certified Shorthand
5	Reporter and Registered Professional Reporter, hereby
б	certify:
7	That the foregoing proceedings were taken
8	before me at the time and place therein set forth, at
9	which time the witness was placed under oath to tell the
10	truth,; that the proceedings were taken down by me in
11	shorthand and thereafter my notes were transcribed
12	through computer-aided transcription; and the foregoing
13	transcript constitutes a full, true, and accurate record
14	of such testimony adduced and oral proceedings had, and
15	of the whole thereof.
16	I further certify that I am not a relative or
17	employee of any attorney of the parties, nor do I have a
18	financial interest in the action.
19	I have subscribed my name on this 23rd day of
20	February, 2022.
21	$(11 \land 11)$
22	Christina Essi, RPR, CSR
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