



State of Utah

Department of Commerce
Division of Public Utilities

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Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director

Artie Powell, Manager

Brenda Salter, Utility Technical Consultant Supervisor

Mark Long, Utility Analyst

Joanna Matyjasik, Utility Analyst

Date: March 16, 2021

Re: **Docket No. 21-2626-01**, Application of Tru North Holdings LC for exemption from regulation.

Recommendation (Approve)

The Utah Division of Public Utilities (Division) recommends that Tru North Holdings LC's (Tru North or Applicant) request for exemption from regulation by the Public Service Commission (Commission) be approved. The Division recommends that the Commission issue Tru North a Letter of Exemption (LOE).

Issue

On February 25, 2021, the Applicant filed a request with the Commission, requesting an exemption from Commission regulation. On February 25, 2021, the Commission issued an Action Request for the Division to review the application and make recommendations with a due date of March 26, 2021.

Background

The Applicant currently has five commercial water customers in its service area located in the Bryce Canyon, Utah area. In its application, Tru North indicates that the water system is new with an anticipated beginning date this summer (2021).

According to the Utah Division of Corporations' records, Tru North is listed as an LLC - Foreign (Nevada) corporation. It also shows Tru North as an "Active" corporation.

In its application, Tru North provided documentation from the Utah Department of Environmental Quality (DEQ), Utah Division of Drinking Water, that its plans have been reviewed. Tru North appears to be in compliance with the Utah Division of Drinking Water requirements.

Discussion

In Tru North's Application for Public Service Commission Regulation or Exemption submitted to the Commission, the Applicant indicates it is serving members only. Division staff spoke with representatives from Tru North regarding other water-related topics and have verified that the Applicant will be serving members only.

Since Tru North is serving only member customers located within its service area boundaries, it no longer meets the definition of a water corporation under Utah Code Ann. § 54-2-1(38) and is therefore not subject to the Commission's jurisdiction.

Conclusion

The Division recommends the Commission exempt Tru North from regulation and issue an LOE to the Applicant.

Cc:

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