

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Application of Tru North Holdings LC for Exemption	<p style="text-align: center;"><u>DOCKET NO. 21-2626-01</u></p> <p style="text-align: center;"><u>ORDER GRANTING EXEMPTION FROM REGULATION</u></p>
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ISSUED: March 18, 2021

BACKGROUND

On February 25, 2021, Tru North Holdings LC (“Tru North”) filed an Application for Exemption, with exhibits, seeking exemption from PSC regulation (“Application”) with the Public Service Commission (PSC).

On March 16, 2021, the Division of Public Utilities (DPU) filed a memorandum (“Memorandum”), recommending the PSC approve the Application.

The Application and Memorandum represent that Tru North currently has five commercial water customers or members in its service area located in Bryce, Utah. Tru North indicates the water system is new and will go into service in the second quarter of 2021. The Application includes a Project Notification Form that Tru North submitted to the Division of Drinking Water for approval of its system, and a Certificate of Existence issued by the Utah Department of Commerce.

In its Memorandum, DPU reports Tru North is an Active LLC – Foreign (Nevada) corporation and that Tru North is apparently compliant with the Utah Division of Drinking Water requirements. DPU also represents it verified that Tru North will be providing service to members only. DPU thus recommends the PSC exempt Tru North from regulation.

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ORDER

Based on the Application and the Memorandum and the representations that Tru North will serve only its members and will not otherwise serve the general public, the PSC concludes Tru North is not a “water corporation” as defined in Utah Code Ann. § 54-2-1(38). The PSC therefore grants the requested exemption and attaches the letter of exemption to this Order as Exhibit A.

DATED at Salt Lake City, Utah, March 18, 2021.

/s/ Yvonne R. Hogle  
Presiding Officer

Approved and confirmed March 18, 2021 as the Order of the Public Service Commission of Utah.

/s/ David R. Clark, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg  
PSC Secretary  
DW#317877

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 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 30 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.

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Exhibit A



## State of Utah

SPENCER J. COX  
*Governor*

DEIDRE M. HENDERSON  
*Lieutenant Governor*

## Public Service Commission

THAD LeVAR  
*Chair*

DAVID R. CLARK  
*Commissioner*

RON ALLEN  
*Commissioner*

### LETTER OF EXEMPTION NO. 240

March 18, 2021

Tru North Holdings LC  
c/o Landon Holm  
2120 S. Cottonwood Canyon Unit 125  
Cannonville, UT 84718

Dear Mr. Holm,

The Public Service Commission (PSC) has reviewed the proposed application for exemption, filed by Tru North Holdings LC ("Tru North") on February 25, 2021.

On March 16, 2021, the Division of Public Utilities (DPU) recommended the PSC grant the request for exemption because Tru North will serve only member customers located within its service area boundaries and is therefore not subject to the PSC's jurisdiction. Utah Code Ann. § 54-2-1(38) excludes water corporations from PSC regulation that distribute water only to their stockholders or members. Thus, it appears an exemption for Tru North is appropriate.

This Letter of Exemption No. 240 is granted pursuant to the representations contained in Tru North's application and on the basis of DPU's conclusion that Tru North serves only its members and not the public generally. Tru North has a continuing obligation to update the PSC within 30 days of any change.

This Letter of Exemption No. 240 is revocable for cause at any time. Please refer to this letter number in any future correspondence with either the PSC or DPU.

Sincerely,

/s/ Gary L. Widerburg  
PSC Secretary  
DW#

CERTIFICATE OF SERVICE

I CERTIFY that on March 18, 2021, a true and correct copy of the foregoing was served upon the following as indicated below:

By Email:

Landon Holm ([landon.2000.holm@gmail.com](mailto:landon.2000.holm@gmail.com))  
Manager, Tru North Holding LC

Patricia Schmid ([pschmid@agutah.gov](mailto:pschmid@agutah.gov))  
Justin Jetter ([jjetter@agutah.gov](mailto:jjetter@agutah.gov))  
Assistant Utah Attorneys General

Madison Galt ([mgalt@utah.gov](mailto:mgalt@utah.gov))  
Division of Public Utilities

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Administrative Assistant