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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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Application of Lakeview)
Water Corporation for)
Interim Rate Increase and)
General Rate Increase)
) Docket No. 22-540-01
_____)

*** NONCONFIDENTIAL TESTIMONY ***

HEARING TAKEN THROUGH
VERITEXT - ADVANCED REPORTING SOLUTIONS
Taken on March 7, 2023
1:31 p.m. to 2:46 p.m.

Reported by: Michelle Mallonee, RPR, CCR

APPEARANCES

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P R O C E E D I N G S

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PRESIDING OFFICER DELANEY: Okay. Good afternoon, everyone. My name is John Delaney. I'm the Commission's designated presiding officer for this hearing. Today is March 7th, 2023, and it's approximately 1:30 p.m., and this is the date and time that is scheduled for the hearing on Applicant Lakeview Water Corporation's application for an interim rate increase in Document 22-540-01.

Let's start with appearances.

MR. SMITH: Thank you. As counsel for the applicant, Craig Smith and Jennifer -- I always get it backward -- Bowen-Crockett. And we also have with us the owner, Mr. Ray Bowden; our accountant, Lynn Wood; our operator -- I'll get Chad's name right this time -- Chad Kramer; and our consultant, Bill Duncan. And they're all here to testify today.

PRESIDING OFFICER DELANEY: Thank you.

For the Division.

MR. GRECU: With the office of the Attorney General. I'm Patrick Grecu. And also with me is Patricia Schmid. Our witness today is Joanne Matyjasik.

PRESIDING OFFICER DELANEY: Great. Thank you.

1 Okay. Any preliminary matters on this docket?

2 Okay.

3 Let me just state one more time for the record
4 about the confidentiality issue. We're streaming live
5 for this proceed, so everybody knows. We have people
6 also with us live. So I'd like to have you please
7 identify now for the record which witness's testimony is
8 likely to be confidential, and then I want to make sure
9 that we -- that we flag -- that you all flag -- when
10 somebody is testifying about something that's
11 confidential, that you do it prior to their testimony so
12 that we can deal with the streaming issue and/or anybody
13 else who is in the room, okay?

14 Please.

15 MR. SMITH: Thank you. Yes. Mr. Bill Duncan,
16 his testimony will be confidential, and then Mr. Lynn
17 Wood, I think, is also -- we submitted that as
18 confidential?

19 MS. BOWEN-CROCKETT: Not Lynn's, no.

20 MR. SMITH: Anybody else's?

21 MS. BOWEN-CROCKETT: But Ray's.

22 MR. SMITH: Ray. Oh, I'm sorry, and Mr. Ray
23 Bowden's testified is confidential.

24 PRESIDING OFFICER DELANEY: Okay. So we have
25 Mr. Duncan and Mr. Bowden; is that right?

1 MR. SMITH: That's correct.

2 PRESIDING OFFICER DELANEY: Okay. And then the
3 Division, just with respect to any cross-examination of
4 them or discussion about information that you relied upon
5 in your analysis and conclusions that encompasses
6 confidential information, just try to be cognizant of
7 that, okay?

8 MR. GRECU: Umm-hmm.

9 PRESIDING OFFICER DELANEY: Great. Thank you
10 very much.

11 Okay. Call your first witness, please.

12 MR. SMITH: Thank you. We're going to call
13 Mr. Ray Bowden at this time.

14 THE WITNESS: Yes.

15 MR. SMITH: You need to be sworn in first.

16 PRESIDING OFFICER DELANEY: Good afternoon.

17 MR. SMITH: Unless -- maybe it counts from this
18 morning. I don't know. But I'll let you decide that.

19 PRESIDING OFFICER DELANEY: Different
20 proceeding, so let's just do it again.

21 Good afternoon, Mr. Bowden. How are you?

22 THE WITNESS: Good.

23 PRESIDING OFFICER DELANEY: Good. Do you swear
24 to tell the truth?

25 THE WITNESS: Yes.

1 PRESIDING OFFICER DELANEY: Thank you very much.
2 He's sworn.

3
4 RAY BOWDEN,
5 was called as a witness, and having been first duly
6 sworn to tell the truth, the whole truth, and nothing
7 but the truth, testified as follows:

8
9 (The following testimony is deemed
10 confidential and is bound under separate cover.)

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2 (End of confidential testimony.)

3 PRESIDING OFFICER DELANEY: Next witness.

4 MS. BOWEN-CROCKETT: We will call Lynn Wood.

5 PRESIDING OFFICER DELANEY: Good afternoon,
6 Mr. Wood. I'm sorry I called you "Woods" earlier.

7 THE WITNESS: Close enough.

8 PRESIDING OFFICER DELANEY: Do you swear to tell
9 the truth?

10 THE WITNESS: Yes.

11 PRESIDING OFFICER DELANEY: Thank you.

12

13 LYNN WOOD,

14 was called as a witness, and having been first duly
15 sworn to tell the truth, the whole truth, and nothing
16 but the truth, testified as follows:

17

18 DIRECT EXAMINATION

19 BY MS. BOWEN-CROCKETT:

20 Q. Mr. Wood, could you please state your name and
21 occupation.

22 A. My name is Lynn Wood. I'm a CPA with Child
23 Richards CPA firm.

24 Q. And for whom will you be providing testimony
25 today?

1 A. For Lakeview Water.

2 Q. And can you please describe your experience with
3 Lakeview Water?

4 A. Yes. We've produced the financial statements
5 since 2011.

6 Q. Okay. And then what type of certifications do
7 you hold?

8 A. Yeah. I've been a CPA in Utah since 1977.

9 Q. Okay. Thank you. And then what is the purpose
10 of your testimony today?

11 A. My testimony will certify the accuracy of the
12 Lakeview Water financial statements.

13 Q. So did you prepare or cause to prepare the
14 annual report for Lakeview Water to the Public Service
15 Commission?

16 A. Yes. My firm has prepared those reports since
17 2011.

18 Q. Thank you. And have those reports been prepared
19 using the generally accepted accounting practices?

20 A. Yes.

21 Q. Thank you. And then do you believe that the
22 annual reports of Lakeview Water accurately reflect the
23 financial position of Lakeview Water?

24 A. Yes.

25 Q. And do you have anything else you would like to

1 add, specifically --

2 Sorry, let me ask you, we have mentioned today
3 that there -- that the owner, Mr. Bowden, has loaned some
4 money to Lakeview, a substantial amount. And the way
5 that that money is interpreted in the financial accounts,
6 can you explain that a little bit?

7 A. Right. The need for cash flow to keep the doors
8 open and keep the company operating could only come from
9 Mr. Bowden because there's no bank that would loan a
10 private utility company the money. And they don't have
11 the option that a local government has of issuing revenue
12 bonds. So it had to come from him, and he was generous
13 enough to do that.

14 And there is no indication of when or how that
15 might be repaid, so it just sits on the books as a demand
16 loan. It could be repaid based upon success, future
17 financial success, or it may not be repaid.

18 Q. And do you keep track of that amount?

19 A. Yes, we update it every year.

20 Q. And as far as you know, are there any notes,
21 formal notes payable issued between the company and
22 Mr. Bowden?

23 A. No, there aren't.

24 Q. Okay.

25 MS. BOWEN-CROCKETT: No more questions. And I'm

1 sorry, can -- at this point we would move for admission
2 of Mr. Lynn Wood's testimony.

3 PRESIDING OFFICER DELANEY: Any objections?

4 MR. GRECU: No objection.

5 PRESIDING OFFICER DELANEY: Motion granted.

6 Any cross-examination?

7 MR. GRECU: No questions.

8 PRESIDING OFFICER DELANEY: Thank you.

9

10 CROSS-EXAMINATION

11 BY PRESIDING OFFICER DELANEY:

12 Q. I have one question. Thank you for explaining
13 the issue with respect to the \$399,000.

14 Are you aware of any specific condition that
15 would trigger the need to repay that amount to the
16 lender?

17 A. No, I'm not aware of any condition, no.

18 Q. Okay. Okay. I don't have anything further.

19 PRESIDING OFFICER DELANEY: Anybody else? Okay.
20 Thank you very much.

21 MS. BOWEN-CROCKETT: And we would like to call
22 our next witness. We will ask Chad Kramer.

23 PRESIDING OFFICER DELANEY: Good afternoon,
24 Mr. Kramer.

25 THE WITNESS: Good afternoon.

1 PRESIDING OFFICER DELANEY: Do you swear to tell
2 the truth.

3 THE WITNESS: I do, yes.

4 PRESIDING OFFICER DELANEY: Thank you.

5

6 CHAD KRAMER,
7 was called as a witness, and having been first duly
8 sworn to tell the truth, the whole truth, and nothing
9 but the truth, testified as follows:

10

11 DIRECT EXAMINATION

12 BY MS. BOWEN-CROCKETT:

13 Q. And Mr. Kramer, can you please state your name
14 and your occupation.

15 A. My name is Chad Kramer. I'm the water operator
16 for the Lakeview Water and been employed since last
17 September.

18 Q. Okay. And can you describe your experience in
19 operating water systems.

20 A. Yes, I worked for a couple cities, Magna Water
21 for one, 15 years. And then I moved up to the rural
22 area, and I worked for Oakley City and did that for
23 three. And then moved over to Morgan City, ran the -- a
24 supervisor for Morgan City water for two-and-a-half,
25 three years.

1 Q. Okay. And what certification -- certific- --
2 I'm sorry.

3 What certifications do you currently hold?

4 A. I hold a Distribution Level 104, and I just
5 passed that this last summer, so that was a great
6 accomplishment. Took me over 20 years.

7 So a lot of these tests, your engineers and, you
8 know, everybody in the water tries to get and pass. And
9 they are getting more difficult. And so it was a nice --
10 you know, to get that done and out of the way, so

11 Q. So it's sufficient to say that that's not an
12 easy certification?

13 A. Yeah. Yep. Yep.

14 Q. How much training and experience have you
15 received to obtain that level?

16 A. Oh, it's taken me, you know, 20-plus years to
17 get where I'm at today. And I'm lucky and fortunate to
18 be part of the, you know, government entity to where we
19 all have to apply and -- you know, that's kind of good
20 that Ray is on board with being in compliance with all
21 the rules and regulations. And that's where I'm at
22 today, is just making it happen.

23 Q. Thank you. And can you explain the current
24 infrastructure for Lakeview Water?

25 A. Yes. So infrastructure is, you know, it's --

1 some parts of it is really old in some of the areas. And
2 then as they developed, they, you know, eventually got to
3 where they used a little bit more reliable water lines
4 and things like that. And, you know, we all have been
5 working on, you know, making good, healthy water
6 decisions on backfill preventers and keeping up on that,
7 you know, run a system.

8 Q. And so the system, I believe, began operation in
9 1982. So that would mean that the system is now over 40
10 years old.

11 So have you had to address any problems because
12 of the infrastructure?

13 A. Yes. Yes. So back in the day, you know, being
14 in a rural area, you can only imagine what the good ole
15 boys must have used, whatever they had, and so we're just
16 going through and making it all to where it's compatible.
17 Because, you know, you don't mix iron with copper and
18 things like that, you know. It just eats at it, the
19 piping. And so my job is to go through and identify and
20 clean it up and put in the newer.

21 Q. Okay. And then are there any current issues
22 that need to be improved to provide adequate, safe,
23 healthy, and reliable drinking water?

24 A. There's just a few things. As far as health,
25 no. But with adequate, just -- you know, we're just

1 trying to get all our meters up to date. And that way,
2 we can give reliable source to the water rights on how
3 much water we use and how much water we lose for the
4 year. So I've been working on that. And other than
5 that, everything's been looking good.

6 Q. How are the current fire hydrants?

7 A. Yes. There is some hydrants in the old part,
8 not by Legacy Estates. But over on the far east side
9 there's, you know, some low-flow fire hydrant. And so
10 we're, the engineer and I, we're adjusting some valving
11 to get more pressure from the new reservoir that creates
12 more of a pressure zone. And we're hoping to contribute
13 it to this old zone to get more pressure to the fire
14 hydrants.

15 Q. Okay. And then what about the -- we've heard
16 you mention -- or we've heard this mentioned before, the
17 SCADA system?

18 A. Uh-huh, yeah. The SCADA system, that's kind of
19 a brain of your operation. And it's needing to be
20 upgraded as well. The one that's been there has been
21 fine, been working. But now with the technology of
22 knowing the very second there's an issue and alarms
23 and -- you know, we address it and fix it, instead of --
24 the system being outdated, it takes a while, you know,
25 with power bumps, power failure, things like that,

1 so

2 Q. Okay. And what would be the cost for these
3 upgrades?

4 A. I have a bid of some of the costs for the SCADA
5 system, and we proposed it to Ray. And it was about --
6 for water and sewer, it was 190,000. So I haven't
7 penciled it to see just exactly what it was for water.
8 That was tied together to do both, so.

9 Q. Okay. Thank you. And as it's been mentioned,
10 Lakeview Water is adding the Legacy Mountain Estates.

11 Are you familiar with that infrastructure that
12 they're adding?

13 A. Yes. Yes. Very good.

14 Q. And have you inspected it at all?

15 A. Uh-huh, yep. Yep. I had to do an inspection
16 for Weber County. And we did one for ourselves, just to
17 see where we're at and trying to move this process along
18 to where we could take it over. So we just identified a
19 few problems, and we're going to get them fixed as soon
20 as we get some warm weather.

21 Q. And what -- what portion of this infrastructure
22 will be deeded to Lakeview Water?

23 A. The reservoir and all of the current lines,
24 anything to do with our drinking water, you know, as far
25 as we have a booster station that pumps the water up to

1 our reservoir, and we just take it all on, the
2 infrastructure part.

3 Q. Okay. And do you feel that these additions will
4 meet all of the American Water Works Association
5 standards?

6 A. Absolutely, yes.

7 Q. And can you briefly describe the benefits to the
8 current customers that this new -- the additions from the
9 subdivision will add?

10 A. Yes, it's the -- I'd see a significant pressure
11 gain just because the reservoir is higher and we're just
12 adjusting some PRV valves, some pressure regulator
13 valves, that will help with the zones to give them, you
14 know, more of an equal, you know, pressure. Instead,
15 they were on their own with the smaller tank, not as high
16 elevation. And so we're hoping, you know, to get that up
17 there and going for the citizens.

18 Q. And do you feel that the health and safety will
19 be increased?

20 A. Yes, I do. There's just -- so when you add
21 more, there's -- it gives you your -- with -- you're more
22 on the radar with the state and drinking water division,
23 and would just, you know, be in all that we can comply in
24 with their rules and more testing, more water testing,
25 so

1 Q. And as far as -- you mentioned you were adding a
2 second tank. Will that help with any reliability for the
3 current customers?

4 A. It just ensures more water, you know, the facts
5 of, if there was a fire outbreak, there's, you know, more
6 water availability for us to get with the extra
7 250,000-gallon tank.

8 Q. Okay. And I believe as Mr. Bowden mentioned,
9 there were additional water shares that were obtained.

10 Do you feel like that's enough water shares to
11 provide a water supply?

12 A. I do, yes.

13 Q. Okay. And is there anything else you would like
14 add?

15 A. No, we're good. Thank you.

16 MS. BOWEN-CROCKETT: And at this time, I would
17 like to move for the admission of the direct testimony.

18 PRESIDING OFFICER DELANEY: Any objection?

19 MR. GRECU: No objection.

20 PRESIDING OFFICER DELANEY: Okay. Your motion
21 is granted.

22 MS. BOWEN-CROCKETT: Thank you.

23 PRESIDING OFFICER DELANEY: Finished?

24 MS. BOWEN-CROCKETT: Yes.

25 PRESIDING OFFICER DELANEY: For now?

1 MS. BOWEN-CROCKETT: Yes.

2 PRESIDING OFFICER DELANEY: Any

3 cross-examination?

4 MR. GRECU: I just have one clarification

5 question.

6

7

CROSS-EXAMINATION

8 BY MR. GRECU:

9 Q. In the filed testimony, it notes that the SCADA

10 upgrades for Mountain Sewer and Lakeview Water will be

11 approximately 140,215. And I may have misheard, but in

12 your testimony I believe you said it would be around

13 190,000. I just wanted to make sure which number was

14 correct.

15 MR. DUNCAN: The numbers that I've put into the

16 analysis were off of the bid that we got, I think in

17 November. But I don't know if that bid has been changed.

18 THE WITNESS: They might have changed up a

19 little bit, just because we did buy some new lift station

20 pumps. And so like I said, the two combined -- sorry to

21 confuse you with that -- but we did get -- order four new

22 lift station pumps. So at first, we only thought we had

23 two. And you always want a backup, so we ordered four.

24 MR. GRECU: Thank you. That answers my

25 question.

1 PRESIDING OFFICER DELANEY: Okay. And then let
2 me follow up with -- well, I'll wait for that one.

3

4 CROSS-EXAMINATION

5 BY PRESIDING OFFICER DELANEY:

6 Q. When do you understand that you -- that Lakeview
7 Water will take possession of these LME assets?

8 A. Yes. It will probably be when they take over
9 Legacy Estates property up there, and I'm hoping around
10 July. Yep, July, August --

11 Q. Of 2023?

12 A. Yes, sir.

13 Q. And that includes, like, the reservoir, the
14 tank --

15 A. Yes, sir.

16 Q. -- the lines --

17 A. Yep. Yep.

18 Q. -- that you've testified about?

19 A. It's all -- it's all in working order. There's
20 just small things that didn't meet standards that they
21 made to go back and replace, and so as soon as the snow
22 melts and we get these guys on it and get it going.
23 Because once we take it over, it's a relief for the
24 company as well. So I'm thinking it's going to happen as
25 soon as possible.

1 Q. Okay. Thank you.

2 A. You're welcome.

3 PRESIDING OFFICER DELANEY: Anything further for
4 Mr. Kramer? Okay. Thank you.

5 I've got a general question, and so I'm just
6 going to ask the panel.

7 Whether it's \$195,000 or \$140,215 for the SCADA
8 upgrade, how is it allocated between? Because you said
9 that number was for both companies. So what is the
10 specific allocation as it relates to the water company?

11 MR. DUNCAN: I have that.

12 PRESIDING OFFICER DELANEY: Okay. And if you
13 are looking at an exhibit, Mr. Duncan, please let me know
14 so we have that noted in the record as well.

15 MR. DUNCAN: I'm not looking at an exhibit, I'm
16 looking at a bid from a company called "Wetco" in Ogden.
17 And this bid, I think, came to Chad in November, maybe.
18 And the bid at that time for the SCADA equipment was a
19 total of \$140,215.

20 Now, I called up the Wetco people because I
21 needed to split that between Mountain Sewer and Lakeview
22 Water. And so there's about, I don't know, four or five
23 or six components. And I went through the bid, and he
24 told me which ones were there for Lakeview Water and
25 which ones were Mountain Sewer. And then there was one

1 cost that was split between the two. So I just split it
2 50/50 and, that's for the alarm, the station, the
3 equipment where all of the -- you know, computers where
4 all of this information feeds into, the computers,
5 monitors and all of that. So I split that one 50/50.

6 And then the other ones are easy to break out
7 because they're -- there's work at the well site, and the
8 old tank, at the new tank, at the booster station, and
9 then there's the sewer lagoons. So I've got that in this
10 bid. And all I can say is that's the numbers I used, and
11 that's how I split it between the two companies.

12 PRESIDING OFFICER DELANEY: Okay. So the number
13 that you've allocated to the water company is reflected
14 somewhere?

15 MR. DUNCAN: Yes.

16 PRESIDING OFFICER DELANEY: Okay. And would you
17 tell me where that is?

18 MR. DUNCAN: Exhibit 2.7, Column B, "Known and
19 Measurable Additions to Assets," and then down on
20 "Communications Equipment, 79,523."

21 PRESIDING OFFICER DELANEY: Okay. So let me get
22 myself there. 2.7, you said?

23 MR. DUNCAN: Yes.

24 PRESIDING OFFICER DELANEY: And you -- it is
25 account number 346, "Communications Equipment"?

1 MR. DUNCAN: Correct.

2 PRESIDING OFFICER DELANEY: Or "Communication."

3 And then the gray scaled number of 79,523 is the
4 water company's portion --

5 MR. DUNCAN: The water company's portion,
6 correct.

7 PRESIDING OFFICER DELANEY: Okay.

8 MR. DUNCAN: And I might also add that I also
9 have a bid from Wetco, and this may help explain the
10 difference. There was a separate bid, not for SCADA
11 equipment but for pumping equipment, and it's a bid of
12 94,070. And that all goes to the sewer company because
13 it's to provide new pumps to go from the lift station
14 back up to the sewer lagoons.

15 PRESIDING OFFICER DELANEY: Okay.

16 MR. DUNCAN: And I don't know if Craig wants to
17 enter that somehow, or I think I provided it to the
18 Division. But we can do whatever you want.

19 PRESIDING OFFICER DELANEY: No, I think your
20 testimony will reflect what you've just said that's found
21 in that document.

22 MR. DUNCAN: Correct.

23 PRESIDING OFFICER DELANEY: And you're under
24 oath, so it's accurate -- unless the Division has a
25 different view?

1 MR. GRECU: We don't have any objection to that.

2 PRESIDING OFFICER DELANEY: Okay. Okay. That's
3 all I have. Thanks.

4 MR. SMITH: Okay. We'd like to recall -- I
5 think Mr. Duncan can explain one of his errors that was
6 pointed out, if we can recall him for just a minute and
7 have him do that.

8 PRESIDING OFFICER DELANEY: Sure.

9

10 REDIRECT EXAMINATION OF MR. DUNCAN

11 BY MR. SMITH:

12 Q. So you had a chance to review your notes and
13 things, and tell us what you found.

14 A. Okay.

15 PRESIDING OFFICER DELANEY: We're on
16 Exhibit 2.1?

17 THE WITNESS: We're going to be on Exhibit 2.1.
18 So as you can imagine --

19 PRESIDING OFFICER DELANEY: Sorry, one second.
20 I think we need to go into confidential again.

21 THE WITNESS: Oh, yes.

22 PRESIDING OFFICER DELANEY: Please.

23 (The following testimony was deemed
24 confidential and is bound under separate cover.)

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11 (End of confidential testimony.)

12 PRESIDING OFFICER DELANEY: Okay. Do you guys
13 want to take a five-minute break, or do you want to just
14 get through this very quickly?

15 MR. BOWDEN: I'd say we get through it.

16 PRESIDING OFFICER DELANEY: Okay. Let's just
17 stick with it. They've rested.

18 And Division, your witness.

19 MR. GRECU: The Division calls Joanna Matyjasik.

20 PRESIDING OFFICER DELANEY: Ms. Matyjasik, good
21 afternoon.

22 Do you swear to tell the truth?

23 THE WITNESS: Yes.

24 PRESIDING OFFICER DELANEY: Thank you.

25

1 JOANNA MATYJASIK,
2 was called as a witness, and having been first duly
3 sworn to tell the truth, the whole truth, and nothing
4 but the truth, testified as follows:

5

6 DIRECT EXAMINATION

7 BY MR. GRECU:

8 Q. Could you please state and spell your name for
9 the record, please.

10 A. Joanna Matyjasik, J-O-A-N-N-A,
11 M-A-T-Y-J-A-S-I-K.

12 Q. And who is your employer?

13 A. The Division of Public Utilities.

14 Q. And your title?

15 A. Utility analyst.

16 Q. And what is your business address?

17 A. 160 East 300 South, Salt Lake City, Utah.

18 Q. And on behalf of the Division, did you review
19 the applicant's original and corrected applications, the
20 witness testimonies and exhibits filed thus far in the
21 docket?

22 A. Yes.

23 Q. Did you prepare and cause to be filed or
24 participate in the preparation and filing of the
25 Division's Action Request Response filed on

1 February 22nd, 2023, and the additional Action Request
2 Response filed on March 2nd, 2023, in this docket?

3 A. Yes.

4 Q. And do you have any changes or corrections to
5 either of the Action Request Response or the Additional
6 Action Request Response?

7 A. No.

8 Q. Do you adopt those filings as part of your
9 testimony today?

10 A. Yes.

11 MR. GRECU: I'd like to move for admission of
12 the Division's Action Request Response filed on
13 February 22, 2023, and the additional Action Request
14 Response filed on March 2, 2023.

15 PRESIDING OFFICER DELANEY: Any objections?

16 MR. GRECU: No objection.

17 PRESIDING OFFICER DELANEY: Okay. Motion
18 granted.

19 Q. (BY MR. GRECU:) Do you have a summary to
20 provide today?

21 A. Yes.

22 Q. Please proceed.

23 A. The Division has performed a preliminary review
24 of Lakeview Water's original and corrected applications
25 for interim rate increase, and its application for

1 general rate increase, including the original and
2 corrected applications, exhibits, and testimonies.

3 The Division wishes to bring to the Commission's
4 attention that Lakeview Water's last rate case -- last
5 rate increase became effective in 2010 in Docket
6 No. 06-054-T01.

7 Since Lakeview Water's last rate increase, the
8 inflation rate was approximately 34.2 percent. The
9 interim rate requested is a 71.4 percent increase.

10 Due, in part, to inflation and increased
11 maintenance on its aging infrastructure, both Mr. Ray
12 Bowden and Mr. William Duncan testified that Lakeview
13 Water has operated at a loss over the past three years,
14 creating the need for an immediate increase until the
15 final rates are approved.

16 Based on the overall body of information filed,
17 Lakeview Water has made an adequate prima facie showing
18 that the requested interim rate increase is justified.
19 Lakeview Water's increasing -- excuse me.

20 Lakeview Water's existing rates are inadequate,
21 and the proposed interim rates are necessary, reasonable,
22 and are more likely to reflect actual costs than current
23 rates. Any approved interim rates are subject to the
24 Commission's right to order a refund or surcharge.

25 In conclusion, the Division believes that

1 Lakeview Water's requested interim rates are just and
2 reasonable and in the public interest, and recommends
3 that the Commission approve the interim rates, as
4 requested, in Lakeview Water's corrected application for
5 interim rate increase.

6 MR. GRECU: The Division rests. The witness is
7 available for cross-examination or questions from the
8 hearing officer.

9 PRESIDING OFFICER DELANEY: Thank you.

10 Any cross-examination?

11 MR. SMITH: No questions.

12 PRESIDING OFFICER DELANEY: Okay. Thank you. I
13 have a couple of questions.

14

15 CROSS-EXAMINATION

16 BY PRESIDING OFFICER DELANEY:

17 Q. You were in the room when we were talking about
18 some of the clarifications with respect to Mr. Duncan's
19 Exhibit 2.1.

20 If you followed that discussion, do those
21 changes or that there's an error, does that change your
22 analysis or your conclusions?

23 A. It does not.

24 Q. Okay. And then with respect to the just and
25 reasonable conclusion about the rate increase, can you

1 give me an example of tying this specific increase into
2 something specific that the water company needs to deal
3 with?

4 A. Yes. Similarly, SCADA upgrades as well as the
5 purchase power and water is one of the larger expenses
6 for the company.

7 Q. Okay. Anything else jumping out at you? That's
8 not a trick question, sorry.

9 A. The aging infrastructure.

10 Q. Oh, okay. Okay. I don't have any other
11 questions.

12 PRESIDING OFFICER DELANEY: Anything more from
13 you all? No redirect? Okay.

14 Well, thank you, everybody -- any further
15 witnesses?

16 MR. GRECU: No.

17 PRESIDING OFFICER DELANEY: Okay. Okay.

18 Well, thank you very much. We will adjourn and
19 carry on. Thank you.

20 (The matter concluded at 2:46 p.m.)

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CERTIFICATE

State of Utah)

ss.

County of Salt Lake)

I, Michelle Mallonee, a Registered Professional Reporter in and for the State of Utah, do hereby certify:

That the proceedings of said matter was reported by me in stenotype and thereafter transcribed into typewritten form;

That the same constitutes a true and correct transcription of said proceedings so taken and transcribed;

I further certify that I am not of kin or otherwise associated with any of the parties of said cause of action, and that I am not interested in the event thereof.

WITNESS MY HAND at Salt Lake City, Utah, this 20th day of March 2023.



Michelle Mallonee, RPR, CCR

Utah CCR #267114-7801

Expires May 31, 2024

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Utah Rules of Civil Procedure
Part V. Depositions and Discovery
Rule 30

(E) Submission to Witness; Changes; Signing.
Within 28 days after being notified by the officer that the transcript or recording is available, a witness may sign a statement of changes to the form or substance of the transcript or recording and the reasons for the changes. The officer shall append any changes timely made by the witness.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

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