

SUPPLEMENTAL ACTION REQUEST

Date: January 16, 2024

FROM: Public Service Commission

Due: January 30, 2024*

SUBJECT: Highlands Water Company, Inc. - Update Service Area - Docket No. 23-010-01
(Company Name, Case Number, etc.)

12/28/2023

23-010-01

HIGHLANDS WATER COMPANY, INC.'S UPDATED COVER LETTER Highlands Water Company, Inc.'s Request to Update its Service Area

This is a request for the Division of Public Utilities (DPU) to provide analysis, evaluation results, and the basis for conclusions and recommendations regarding the following:

- Review for Compliance and Make Recommendations
- Review Application and Make Recommendations
- Review the Complaint and Indicate whether the DPU has a Recommendation
- Review Notice and Make Recommendations
- Review Request for Agency Action and Make Recommendations
- Respond in Accordance with the Notice of Filing and Request for Comments
- Investigate

Other - Explanation and Statement of Issues to be Addressed (See Below):

On September 20, 2023, Highlands Water Company, Inc. ("Highlands") filed a Request to Update its Service Area ("Original Request"). DPU filed comments dated October 17, 2023 ("Comments") stating, among other things, that the "Division, working with Highlands, sought additional information regarding its application on October 3, 2023. The Division has received evidence of the following items ..."

*In the event the PSC issues an order or notice providing dates for comments and/or testimony in this docket:

- The DPU shall respond consistent with the order or notice;
- The order or notice, including any deadlines, shall supersede and replace this action request; and
- This action request shall be deemed withdrawn.

The Comments then present three separately numbered paragraphs making certain representations and outlining certain information concerning the evidence DPU received from Highlands in support of the Comments. Please answer, and/or provide the requested information concerning, the following questions:

1. Regarding paragraph numbered 1 in the Comments, DPU states it has received evidence concerning the “[a]ssurance that [Highlands] has received or is in the process of obtaining the required consent, franchise, or permit ... in order to extend service into the previously granted service area.”

Please identify the evidence DPU received concerning this assurance. If it is in written form, please provide it to the PSC.

2. Further regarding paragraph numbered 1, please specifically identify the “previously granted service area[]” (whether by map, written description, or otherwise) to which DPU is referring in the preceding paragraph (i.e., what specifically is that area?).
3. Regarding paragraph numbered 2, DPU states “Highlands has provided a current map showing the water service infrastructure of [1] all water utilities surrounding the applicant and [2] a map of the future expansion areas.” The Comments further state that “[t]hese maps were provided to the PSC with” the Original Request filing and cites certain attachments.

The PSC has no record of receiving a “current map showing the water service infrastructure of all water utilities surrounding” Highlands. However, according to DPU’s Comments it “received evidence of” such a map. Please provide the PSC with that specific map.

4. Regarding paragraph numbered 3, DPU states “Highlands concurs with the statement that any proposed line, plant, or system will not conflict ...”

Please identify how Highlands conveyed this concurrence to DPU. If it is in written form, please provide it to the PSC.

Additionally, on December 28, 2023, Highlands submitted to the PSC an email and an attached cover letter. The cover letter appears to be an update of the Original

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Request (the “New Request”). The email explains, among other things, that the Original Request was filed in haste, was still in draft form when filed, had the potential for confusion, and asks the PSC to “consider this [New Request] which more clearly represents [Highlands’] purpose.” While the attachment to the email – the New Request – is substantially similar to the Original Request, it makes certain additions and various changes, all of which are, as represented in the email, highlighted in yellow in the New Request.

Please review the New Request and make recommendations.

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