

April 10, 2024

Utah Public Service Commission  
160 E. 300 S.  
4<sup>th</sup> Floor  
Salt Lake City, Utah 84111

RE: **Rate Increase Request**  
**Highlands Water Co.**  
**Docket No. 24-010-01**

To Whom It May Concern:

My name is Robert Woodcock. I live in the “Whisper Ridge” subdivision (6089 Robinson Lane), in Mountain Green, Utah. Highlands Water Co. (“**Highlands Water**”) is my current water provider.

I am writing this letter in response to a letter I recently received informing me that Highlands Water is seeking a rate increase.

I moved into my home in 2014. Shortly after moving in, my neighbors and I each received a letter from Mountain Green Water Investments (“**MG Water Investments**”) informing us that in addition to the bimonthly water bill sent by Highlands Water, each year each homeowner in the Whisper Ridge subdivision would be required to pay MG Water Investments an annual fee for “1 acre foot of water”. It’s my understanding that MG Water Investments is owned, at least in part, by Mark Nelson. I believe Mark Nelson also owns an interest in Highlands Water.

In his letter of November 24, 2014, Rodger Smith (former officer of Highlands Water) assured the Whisper Ridge homeowners that --

“As we are governed by the Public Service Commission, we are not able to put this (annual assessment) into our billing system until there is a rate increase and audit by the Department of Public Utilities. We hope to have this set up in our rates and tariffs in the future.”

This annual assessment came as a complete surprise to me and the other Whisper Ridge homeowners. No one had been told about this “annual assessment” before moving in. Each of us had simply signed a typical water agreement with Highlands Water to pay Highlands Water for the water we used each month based upon the prevailing rates then charged by Highlands Water. When we executed these agreements with Highlands Water, Highlands Water did not mention anything about an annual assessment.

Rather than pay MG Water Investments for this “1 acre foot of water”, I contacted the Weber Water Conservancy District and asked if I could purchase “1 acre foot of water” and enter into an Exchange Agreement Application with Highlands Water. The Weber Water Conservancy District said that I could – but Highlands Water would not let me do so.

While uncomfortable about this annual fee, in the spirit of good faith I paid the annual assessment for several years. However, I repeatedly sent MG Water Investments certified letters requesting an explanation or documentation that would confirm why I legally owed this annual assessment when I had never had any

dealings with MG Water Investments. Since MG Water Investments refused to respond to any of my letters, I stopped paying this annual assessment several years ago.

It is my understanding that none of the residents in surrounding developments in Morgan County pay any such “annual assessment” in addition to their monthly water bills nor do I believe that any surrounding water districts charge any such “annual assessment”.

I pay my debts. Always have, always will. Had MG Water Investments provided me with documentation explaining why I owe this annual assessment, I’d pay it. Until then I do not believe that I am responsible for this annual assessment.

It’s been 10 years since Highlands Water promised to seek a rate increase and “put this annual assessment into its billing system” and blend the cost of the “1 acre foot of water” into its water rates. By failing to do so, the homeowners in Whisper Ridge may have been overcharged for water by having to pay this annual assessment.

I respectfully request that when considering Highlands Water’s rate increase request, the PSC delves into the legitimacy of these annual assessments and the relationship between Highlands Water and MG Water Investments and determines whether these annual assessments are appropriate.

I would appreciate the opportunity to meet with a representative of the PSC to discuss these matters.

Respectfully Yours --

Robert Woodcock

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