

Matthew E. Jensen (10693) (mjensen@parrbrown.com)
Bryant A. Holloway (20245) (bholloway@parrbrown.com)
PARR BROWN GEE & LOVELESS, P.C.
101 South 200 East, Suite 700
Salt Lake City, UT 84111
Telephone: (801) 532-7840

Attorneys for Village Development Group

BEFORE THE UTAH PUBLIC SERVICE COMMISSION

In the matter of Application of Thirty-Two Hundred Homeowners Association for a Certificate of Public Convenience and Necessity for a Water Corporation to Provide Water Services within the State of Utah

APPLICATION

Docket No. 26-2664-01

APPLICATION

Thirty-Two Hundred Homeowners Association (“**3200 HOA**” or “**Applicant**”) through the undersigned counsel of its attorney in fact, Village Development Group Inc., submits this Application (the “**Application**”) for Certificate of Public Convenience and Necessity (a “**CPCN**”) the Public Service Commission of Utah (the “**Commission**”) under Utah Code § 54-4-25.

BACKGROUND

3200 HOA was organized in 1981 to govern certain developments in the mountains above Summit, Utah, in Iron County, including the 3200 Subdivision (“**Phase I**”) recorded in 1984 comprising 145 lots, the 3200 Subdivision – Phase II (“**Phase II**”) recorded in 1985 comprising 240 lots, and approximately 900 acres of unsubdivided land adjacent to Phase I and Phase II (“**Phase III**”). 3200 HOA has long operated a simple water system for the benefit of its members, but in 2018, 3200 HOA recorded an instrument to disconnect Phase II and Phase III while acknowledging that it would retain responsibility for the water rights it held for service of all phases. Although 3200 HOA historically supplied water only to its members, owners of Phase II

and Phase III are no longer members of 3200 because of the disconnection. Accordingly, 3200 HOA is subject to regulation by the Commission because it has committed to supply water service to members of the public to be served in the future within Phase II and Phase III.

ARGUMENT

Utah Code § 54-4-25 provides that the Commission may issue a CPCN based on an application and hearing demonstrating that (1) the Applicant “has received . . . the required consent . . . of the proper . . . public authority,” and (2) the “system will not conflict with or adversely affect the operations of any existing certificated fixed public utility which supplies the same product or service to the public and that it will not constitute an extension into the territory certificated to the existing fixed public utility.” A completed application form published by the Utah Division of Public Utilities (the “**Division**”) and attachments requested in the form are attached to this Application as **Exhibit A**.¹ Ultimately, as discussed below and as further established in Exhibit A, 3200 HOA meets the requirements of Utah Code § 54-4-25. Specifically, 3200 HOA has the necessary approval from the Utah Division of Drinking Water as shown in Attachment 2 to Exhibit A; and 3200 HOA’s water system is far from, and will have no effect on, any other public utility or other water system as shown in Attachment 3 to Exhibit A. Accordingly, 3200 HOA respectfully requests that the Commission issue it a CPCN.

DATED this 2nd day of April 2026.

PARR BROWN GEE & LOVELESS, P.C.

/s/ Matthew E. Jensen
Matthew E. Jensen
Bryant A. Holloway
Attorneys for Village Development Group Inc.

¹ Exhibit A includes significant information required by the form beyond what is required under Utah Code § 54-4-25. This Application seeks only a CPCN and not a rate determination, so information concerning water rates will be considered more closely in a future rate proceeding.

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of April 2026, I caused a true and correct copy of the Application for Certificate of Public Convenience and Necessity to be served via e-mail to the following:

Patricia Schmid
Patrick Greco
Assistant Utah Attorneys General
STATE OF UTAH
pschmid@agutah.gov
pgrecu@agutah.gov

Madison Galt
DIVISION OF PUBLIC UTILITIES
mgalt@utah.gov

/s/ Matthew E. Jensen

Matthew E. Jensen