

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of Shadow Mountain Estates for a Certificate of Convenience and Necessity to Operate as a Public Utility Rendering Service, or for an Exemption from PSC Regulation	)	<u>DOCKET NO. 01-2370-01</u>
	)	
	)	<u>NOTICE OF HEARING ON APPLICATION</u>
	)	<u>AND ORDER TO SHOW CAUSE</u>
	)	

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ISSUED: July 27, 2001

By the Commission:

On June 8, 2001, Danny A. Stevens filed an Application to receive a certificate to operate a public water utility. On June 8, 2001, the Division of Public Utilities, Utah Department of Commerce (Division), recommended that the Commission hold a hearing to receive public input on the application and consider granting certification. The Division also recommended that the Commission determine if the applicant should be fined for previously operating as an uncertificated public water utility in violation of § 54-4-25(1), U.C.A. 1953<sup>(1)</sup>, as amended. Additional allegations made in the Division's Memorandum, which is annexed hereto and incorporated by this reference, indicate Applicant's failure to cooperate with the Utah Department of Environmental Quality (DEQ) whose water standards the Commission has adopted; and whereas there appears to be good cause to support said allegations, the Commission enters the following

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- DANNY STEVENS and SHADOW MOUNTAIN ESTATES, and each of them, shall appear before the Administrative Law Judge of the Commission on Thursday, August 16, 2001, at 6:30 p.m., in the Central Valley Community Center, 60 West Center Street, Central Valley, Utah, to show cause, if any they have, why he or they should not be fined or otherwise sanctioned for violation of Utah statutes relative to the operations of the public water utility.
- The Administrative Law Judge will also conduct a hearing to take evidence relative to the Application to receive certification as a public utility.
- Said applicant and Shadow Mountain Estates will take notice that they have the right to be represented by legal counsel, and that failure to appear by counsel will constitute a waiver of said right.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify Julie Orchard, Commission Secretary, at 160 East 300 South, Salt Lake City, Utah, 84111, (801)530-6713, at least three working days prior to the hearing.

DATED at Salt Lake City, Utah, this 27th day of July, 2001.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary

1. A . . . water corporation . . . may not establish, or begin construction or operation of a line, route, plant, or system or of any extension of a line, route, plant, or system, without having first obtained from the Commission a certificate that present or future public convenience and necessity does or will require the construction.