

In the Matter of the Exemption of FREEZE)
CREEK WATER COMPANY From Utility)
Regulation)

DOCKET NO. 96-2215-01

REPORT AND ORDER

ISSUED: September 22, 1998

SYNOPSIS

All utility assets of the subject water company having been transferred to a special improvement district not subject to Commission jurisdiction, we dismiss.

By the Commission:

PROCEDURAL HISTORY

On July 31, 1996, the Commission received a letter from one Tom Ryan, a customer of Freeze Creek Water Company ("Freeze Creek") requesting revocation of the exemption letter previously granted the Company. Thereafter, all utility assets of the company were transferred to Emigration Improvement District, a quasi-governmental agency outside Commission jurisdiction. With the transfer of all utility assets, and therewith responsibility for providing water service in Freeze Creek's service area, the instant matter is rendered moot. We therefore enter the following ORDER

WHEREFORE, IT IS HEREBY ORDERED that:

The above-captioned matter be, and it is, dismissed.

Any person aggrieved by this Order may petition the Commission for review within 20 days of the date of this Order. Failure so to do will forfeit the right to appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 22nd day of September, 1998.

/s/ Stephen F. Mecham, Chairman

(SEAL) /s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary