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SOAH DOCKET NO. 473-17-0119.WS
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APPLICATION OF DOUBLE §
DIAMOND UTILITY COMPANY, INC. §
FOR WATER AND SEWER §
RATE/TARIFF CHANGE §

BEFORE THE STATE OFFICE
OF PUBLIC UTILITY COMMISSION
FILING CLERK
ADMINISTRATIVE HEARINGS

**AGREED MOTION TO EXTEND DEADLINES,
EXTEND THE EFFECTIVE DATE
AND RESET DATE FOR COMMISSION CONSIDERATION**

COME NOW, Double Diamond Utility Company, Inc. (“DDU”), The White Bluff Ratepayers’ Group (“WBRG”), The Cliffs Utility Committee (“TCUC”), and request an extension of the post-Proposal for Decision deadlines and the effective date, and request resetting the proposed date for Commission Consideration. Commission Staff does not oppose this motion.

The Proposal for Decision (“PFD”) in this proceeding was issued by Administrative Law Judge Casey Bell on February 13, 2018. On February 14, 2018, the Commission issued its scheduling order, pursuant to which the deadline to file exceptions to the PFD is set for February 28, 2018, and the deadline to file replies to exceptions is set for March 14, 2018. The Commission’s open meeting to consider the PFD is scheduled for March 29, 2018.

DDU filed a request to the Commission on February 15, 2018, pursuant to which the number running memoranda and workpapers were requested to be made available to the parties, including the native Excel files. Without the ability to fully analyze and consider the calculations that were made by or for Judge Bell, DDU and the other parties are at a significant disadvantage in preparing exceptions and replies to the PFD.

DDU, WBRG and TCUC jointly request a two-week extension of the deadlines to file exceptions to the PFD and replies thereto, in order to (1) allow the Commission additional time to make the requested information available, and (2) allow the parties interested in this proceeding

sufficient time to review, analyze and consider the native form of the calculations relied upon by Judge Bell.

In addition, the representative for The Cliffs Utility Committee is out of the Country until March 29th without sufficient access to his materials from the hearing that would enable him to adequately prepare exceptions or replies.

In addition, and in recognition of the jurisdictional deadlines in this docket, DDU requests, and TCUC and WBRG agree, to extend the suspended effective date of the proposed rates from April 1, 2018, to May 1, 2018, and to maintain the agreed “relate back” date of February 21, 2018, for purposes of determining refunds or surcharges depending upon the outcome of the case.


The requested extensions of time will impact the deadlines outlined by the Commission Advising & Docket Management in its February 14, 2018, Scheduling Order as follows:

<u>EXTENSION OF</u> Deadline for Filing Exceptions to PFD:	March 14, 2018
<u>EXTENSION OF</u> Deadline for Filing Replies to Exceptions:	March 28, 2018
<u>NEW DATE</u> for consideration at Commission Meeting:	April 12, 2018

Counsel for DDU has discussed this proposed motion with counsel for WBRG, the representative for TCUC, and counsel for the Commission Staff. WBRG and TCUC agree with this request and have authorized DDU to file this motion on their behalf. The Commission staff does not oppose the motion. The requested extensions are not made for delay, but so that justice may be served.

WHEREFORE, PREMISES CONSIDERED, the Parties hereby request a two-week extension of the post-Proposal for Decision deadlines, extension of the suspended effective and resetting of this docket to the Commission meeting date, all as outlined above.

Respectfully submitted,

By: 

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ATTORNEY FOR DOUBLE DIAMOND
UTILITY COMPANY, INC.

CERTIFICATE OF SERVICE

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 21st day of February, 2018



John J. Carlton