

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

Issued: October 24, 2018

CASE NO. 18-0674-WS-GI

TIMBERLINE FOUR SEASONS UTILITIES, INC.
General Investigation into the management
practices of Timberline Four Seasons
Utilities, Inc.

PROCEDURAL ORDER

This Order compels the attendance of Frederick Hertz to attend the hearing scheduled for October 30, 2018.

On October 17, 2018, the Canaan Valley Public Service District (CVPSD) petitioned the Commission for emergency interim relief in the pending matter. CVPSD indicated that Timberline Four Seasons Utilities, Inc. (TFSU) was not paying CVPSD for treatment services. CVPSD indicated that TFSU owed it \$105,000 as of October 6, 2018. CVPSD alleged that the failure of TFSU to make payments for its treatment costs puts the viability of CVPSD into play. CVPSD pointed out a clear duty of TFSU to pay certain revenue directly to CVPSD. CVPSD requested emergency interim relief.

By Procedural Order issued October 18, 2018, TFSU and Staff were required to respond in writing to the emergency interim relief request on or before October 23, 2018. The matter was also set for hearing on the issue of interim relief on October 30, 2018.

On October 23, 2018, Staff moved to compel Frederick Hertz to personally attend the hearing on emergency interim relief. Staff argued that if TFSU was operating its system in conformance with the legal requirements then it would have revenue to pay CVPSD. Staff argues that Frederick Hertz, as the individual managing TFSU, should be required to appear at hearing and explain why TFSU was not paying CVPSD and to explain where the revenue was going.

Staff's motion to compel the attendance of Frederick Hertz at the October 30, 2018 hearing is reasonable and should be granted.

ORDER

IT IS, THEREFORE, ORDERED that Timberline Four Seasons Utilities, Inc. produce Frederick Hertz at the hearing scheduled on October 30, 2018, at 9:30 a.m. in Hearing Room No. 2, Public Service Commission Building, 201 Brooks Street, Charleston.

IT IS FURTHER ORDERED that the Executive Secretary serve this Order upon Commission Staff by hand delivery, upon all parties of record who have filed an e-service agreement with the Commission by electronic service and upon all other parties by U.S. Certified Mail, return receipt requested.



Keith A. George
Chief Administrative Law Judge

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