MASTER FILE
Computer Indexed

Matthew W. Williams
Williams & Jent PLLP
506 E. Babcock
Bozeman, Montana 59715
(406) 586-1373
Attorney for Utility Solutions, LLC

RECEIVED BY
2007 DEC 14 A 9:35
PUBLIC SERVICE
COMMISSION

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER of the Application of Utility Solutions, LLC to Implement Initial Rates and Charges for Water Service in its Elk Grove Subdivision, Gallatin County, Montana Service Area	)	UTILITY DIVISION DOCKET NO. D2005.11.163

Consolidated with

IN THE MATTER of the Application of Utility Solutions, LLC to Implement Initial Rates and Charges for Wastewater Service in its Elk Grove Subdivision, Gallatin County, Montana Service Area	)	UTILITY DIVISION DOCKET NO. D2005.11.164

MOTION FOR EXTENSION OF TIME TO RESPOND TO DATA REQUESTS
AND MOTION FOR PROTECTIVE ORDER

Comes now Utility Solutions LLC, by and through one of its attorneys, and moves this Commission for an Order granting it additional time to respond to Data Requests of Staff, and for a protective order pursuant to ARM 38.2.5001 *et. seq.* for the confidential information requested in PSC-009. As grounds therefore, Utility Solutions respectfully shows that it requires additional time to respond to data requests received on December 7, 2007 from the staff of the Commission. Key personnel of Utility Solutions have

scheduling conflicts that prevent them from meeting and discussing the responses, and Utility Solutions' rate consultant likewise has scheduling conflicts that make it impossible to devote the required attention to these Requests within the time available.

In addition, and PSC-009 seeks tax information in the form of "copies of the partnership returns for Utility Solutions, LLC for 2005 and 2006. The members of Utility Solutions have subjective expectations that their personal financial records will remain private. The tax return will necessarily disclose not just the income reported by Utility Solutions, but the distribution of that income to individual members of this limited liability company. All this information is "confidential information" within the meaning of ARM 38.2.5001 (1), as public disclosure of such information would clearly invade the individual privacy of the members of Utility Solutions, LLC. Information in tax returns is commonly regarded as private. As such, this is sort of personal financial information constitutes the sorts of privacy interests that society recognizes as reasonable.

In this proceeding, the demands of individual privacy clearly exceed the merits of public disclosure. The requested protective order relates only to the personal financial information of the members of Utility Solutions, LLC, and accordingly the disclosure of such information clearly invades the individual privacy of such members, without any attendant benefit to the public.

This Motion is based on the affidavit attached hereto as Exhibit A.

WHEREFORE, Utility Solutions prays that the Commission enter an Order granting an extension of time until to January 21, 2008, to respond to the Data Requests of Staff, and

a Protective Order pursuant to the provisions of ARM 38.2.5001 et. seq, protecting the information produced under PSC-009 in accordance with said administrative regulations.

Done this 13th day of December, 2007.

Matthew W. Williams
Williams & Jent, PLLP
506 E. Babcock
Bozeman, Montana 59715
(406) 586-1373
Attorney for Utility Solutions, LLC

Certificate of Service

PLEASE TAKE NOTE that on this 13th day of December, 2007, the undersigned has deposited the foregoing instrument, postage prepaid, to the following entity at the designated address:

Montana Consumer Counsel
616 Helena Ave., Suite 300
PO Box 201703
Helena, Montana 59620-1703.

Matt Williams

Matthew W. Williams
Williams & Jent PLLP
506 E. Babcock
Bozeman, Montana 59715
(406) 586-1373
Attorney for Utility Solutions, LLC

RECEIVED BY
2007 DEC 14 A 9:36
PUBLIC SERVICE COMMISSION

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER of the Application of Utility Solutions, LLC to Implement Initial Rates and Charges for Water Service in its Elk Grove Subdivision, Gallatin County, Montana Service Area	)	**UTILITY DIVISION** **DOCKET NO. D2005.11.163**

Consolidated with

IN THE MATTER of the Application of Utility Solutions, LLC to Implement Initial Rates and Charges for Wastewater Service in its Elk Grove Subdivision, Gallatin County, Montana Service Area	)	**UTILITY DIVISION** **DOCKET NO. D2005.11.164**

Affidavit of Barbara Campbell in Support of Motion for Protective Order

State of Montana)
: ss
Gallatin County)

Barbara Campbell, being first duly sworn, deposes and says:

1. I am the President of Double-Tree, Inc. Double-Tree Inc is the manager of Utility Solutions, LLC ("USLLC").

2. The tax returns of USLLC are informational returns. They depict the allocation of income and other financial information amongst the members of USLLC. The members of USLLC, and/or the members of entities that are in turn members of the USLLC, do not waive their privacy interests in their personal financial information, or in records by which the personal financial information of members of entities that are members of USLLC can be inferred. They have treated their tax returns as containing confidential information in the past, and have an actual subjective belief that such information will remain private.

3. Tax returns are ordinarily regarded as containing private information. Society generally recognizes a privacy interest in tax returns. The requirements of individual privacy in this instance clearly exceed the merits of public disclosure of the tax returns of USLLC.

FURTHER AFFIANT SAYETH NOT.

Done this 13 day of December, 2007.

Barbara Campbell

Barbara Campbell

On the 13 day of December, 2007, personally appeared before me, a Notary Public in and for the State of Montana, Barbara Campbell, who is known to me to be the affiant above-listed and whose signature is inscribed above.

KRISTENE L. VANDERSLOOT NOTARIAL SEAL STATE OF MONTANA

(SEAL)

Kristene L. Vanderslaat
Notary Public for the State of Montana
Printed Name: Kristene L. Vanderslaat
Residing at Bozeman Montana
My commission expires: August 31, 2008