

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF CDS STONERIDGE)	CASE NO. SWS-W-24-01
UTILITIES, LLC’S APPLICATION FOR)	
AUTHORITY TO INCREASE ITS RATES)	
AND CHARGES FOR WATER SERVICE IN)	ORDER NO. 36163
THE STATE OF IDAHO)	
)	

Stoneridge Property Owners Association, Inc. (“SPOA”) petitioned to intervene in this case on March 18, 2024, pursuant to Idaho Public Utilities Commission Rules of Procedure 71-75, IDAPA 31.01.01.071-.075.

On March 26, 2024, CDS Stoneridge Utilities, LLC (“Company”) filed a Letter of Opposition to Intervenor Legal Counsel which opposed the involvement of SPOA’s chosen representative, Norman Semanko (“Mr. Semanko”), on the grounds that Mr. Semanko had previously represented Chan Karupiah (“Mr. Karupiah”), an owner of the Company. The Company did not specify the parameters of Mr. Semanko’s former representation of Mr. Karupiah.

On April 1, 2024, Mr. Semanko filed a response representing that his former representation of Mr. Karupiah did not have a substantial relationship with this case and thus did not violate the Idaho Rules of Professional Conduct. Mr. Semanko’s response also did not specify the parameters of his former representation of Mr. Karupiah.

On April 16, 2024, counsel for Commission Staff contacted Mr. Semanko seeking clarification regarding the scope of Mr. Semanko’s former representation of Mr. Karupiah. Immediately following this interaction, Mr. Semanko sent electronic mail to counsel for Staff clarifying the scope of Mr. Semanko’s representation relevant to the Idaho Rules of Professional Conduct. Mr. Semanko stated that the former representation at issue was brief. Of note, he also stated that, while Mr. Karupiah was involved with the matter, CDS Stoneridge Utilities was not Mr. Semanko’s client. Finally, Mr. Semanko stated that he did not gain information about Mr. Karupiah that could be used against Mr. Karupiah in this case.

FINDINGS OF FACT

The Company was the only party to object to SPOA’s chosen representative.

Based on the contents of the petition to intervene the Commission finds that SPOA's petition to intervene shows that SPOA has a direct and substantial interest in the subject matter of this case. *See* Commission Rule of Procedure 74.

Last, specific to this case, the Commission must consider whether granting SPOA's petition to intervene and allowing Mr. Semanko to represent its interests would unduly broaden the issues in the case. *Id.* If Mr. Semanko had a conflict of interest due to his past representation of Mr. Karupiah, such could damage the integrity of the proceedings in this case. That is not the case herein. In considering the record in this case the Commission finds that Mr. Semanko's representation of SPOA's interests in this general rate case is not the same or a substantially related matter to the purposes for which he previously represented Mr. Karupiah in. *See* Idaho Rules of Professional Conduct 1.9. As a result, the Commission finds that granting SPOA's petition to intervene in this case would not unduly broaden the issues in it.

Based on the foregoing, the Commission finds that intervention by SPOA would serve the purposes of intervention as described by Rule 74 and should be granted. Further, the Commission finds that SPOA's chosen counsel is free to represent its interests in this case.

ORDER

IT IS THEREFORE ORDERED that the Petition to Intervene filed by SPOA is granted.

IT IS FURTHER ORDERED that all parties comply with all rules of the Commission including Rules 71-75, and 222-223, IDAPA 31.01.01.071-.075, .222-.223.

IT IS FURTHER ORDERED that all parties in this proceeding serve all documents hereafter filed in this matter on all parties of record. This Intervenor is represented by the following for purposes of service:

SPOA:

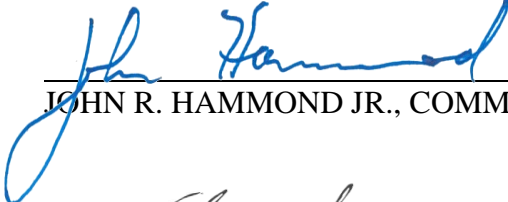
Norman M. Semanko
Patrick M. Ngalamulume
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Boise, ID 83702
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pngalamulume@parsonsbehle.com

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be

deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 25th day of April 2024.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Monica Barrios-Sanchez
Commission Secretary

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