

IDAHO PUBLIC UTILITIES COMMISSION

MINUTES OF DECISION MEETING

February 10, 2023 – 2:00 P.M.

In attendance was Commissioner Eric Anderson, Commissioner John R. Hammond, Jr. and Commissioner Edward Lodge. Commissioner Anderson called the meeting to order.

The first order of business was **APPROVAL OF MINUTES FROM THE PREVIOUS MEETING** on February 7, 2023. The Commission voted unanimously to approve the minutes as written.

The next order of business was **MATTERS IN PROGRESS:**

2. Action Item: Claire Sharp's February 10, 2023, Decision Memorandum re: In the Matter of Island Park Water Company's Failure to Comply with Idaho Public Utilities Commission Reporting and Fiscal Requirements; Case No. ISL-W-23-01.

Ms. Sharp presented the Decision Memorandum and asked if the Commission wished to vacate the Notice of Hearing and Order to Show Cause set in Order No. 35675 and issue an Amended Notice of Hearing and Order to Show Cause for this matter for March 13, 2023, at 11:00 am local time directing the Company to appear and explain why it should not be required to: 1) Immediately provide full and complete responses to the Audit Request Questions 1, 3, 4, 6, 7, 9 and 10; 2) Immediately provide a complaint log for all customers; 3) Immediately provide Company billing information, including actual customer bills, and refund customers charged in excess of the approved tariff; 4) Immediately provide its current written protocol or notification plan that describes the protocol for scheduled, emergency and temporary service interruptions and a written plan for customer notifications and status updates; 5) Immediately meet its obligation to provide safe and reliable service to its customers and resolve the interruptions in water service and water quality concerns through appropriate testing and maintenance of its system; 6) Immediately refrain from retaliation; 7) Pay up to a \$2,000 penalty per day, and all accrued interest, under *Idaho Code* §§ 61-706 and 61-707, and additional penalties under *Idaho Code* §61-709 against Company employees and officers, for each day that is in breach of a statutory duty.

Commissioner Hammond made a motion to vacate the Notice of Hearing and Order to Show Cause set in Order No. 35675 and issue an Amended Notice of Hearing and Order to Show Cause for this matter for March 13, 2023, at 11:00 am local time directing the Company to appear and explain why it should not be required to: 1) Immediately provide full and complete responses to the Audit Request Questions 1, 3, 4, 6, 7, 9 and 10; 2) Immediately provide a complaint log for all customers; 3) Immediately provide Company billing information, including actual customer bills, and refund customers charged in excess of the approved tariff; 4) Immediately provide its current written protocol or notification plan that describes the protocol for scheduled, emergency and temporary service interruptions and a written plan for customer notifications and status updates; 5) Immediately meet its obligation to provide safe and reliable service to its customers and resolve the interruptions in water service and water quality concerns through appropriate testing and maintenance of its system; 6) Immediately refrain from retaliation; 7) Pay up to a \$2,000 penalty per day, and all accrued interest, under *Idaho Code* §§ 61-706 and 61-707, and additional penalties under *Idaho Code* §61-709 against Company employees and officers, for each day that is in breach of a statutory duty and add to the Order language stating that the Company shall only charge what is listed in the approved tariff. A vote was taken on the motion and it carried unanimously.

Commissioner Anderson stated there was no further business before the Commission and the meeting was adjourned.

COMMISSION SECRETARY

DATE OF APPROVAL