

MARK R. FULLER (ISB No. 2698)  
DANIEL R. BECK (ISB No. 7237)  
PAUL L. FULLER (ISB No. 8435)  
FULLER & BECK  
410 MEMORIAL DRIVE, SUITE 201  
P.O. Box 50935  
IDAHO FALLS, ID 83405-0935  
TELEPHONE: (208) 524-5400  
EMAIL: [FULLERANDBECK@GMAIL.COM](mailto:FULLERANDBECK@GMAIL.COM)  
EMAIL: [PAULFULLER.LAW@GMAIL.COM](mailto:PAULFULLER.LAW@GMAIL.COM)

ATTORNEY FOR RESPONDENT

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

DONALD SORRELLS,	)	<b>Case No.</b> GNR-U-22-03
	)	
Complainant,	)	
	)	
v.	)	<b>PETITION FOR REVIEW OF</b>
	)	<b>INTERLOCUTORY ORDER AND</b>
	)	<b>PETITION FOR STAY</b>
SUNNYSIDE PARK UTILITIES,	)	
INC.,	)	
	)	
Respondent.	)	
_____	)	

COMES NOW the Respondent, by its counsel of record, Paul L. Fuller, pursuant to IPUC Rule 322, and petitions the IPUC to review interlocutory Order No. 35513. Such Petition is based upon the Amended Answer filed by the Respondent regarding a change in status of SPU which directly affects IPUC's jurisdiction in this matter. Such Amended Answer establishes that SPU has converted to a non-profit public utility organized and operated for service at cost, and not for profit. This Commission does not have jurisdiction to regulate non-profit public utilities organized and operated for service at cost and not for profit. (See Idaho Code

Section 61-104).

Respondent further petitions for a stay of Order No. 35513, pursuant to IPUC Rule 324, and requests a stay of the Order to the extent it orders SPU to file an Application for a CPCN within thirty (30) days of the date of the Order. Because Respondent's Petition for Review addresses the IPUC's jurisdiction over SPU, such jurisdictional determination must be made before SPU is required to incur the costs and attorney fees required to prepare and file an Application for a CPCN.

DATED this 7th day of September, 2022.

/s/ Paul L. Fuller  
Paul L. Fuller  
Attorney for Sunnyside Park Utilities, Inc.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I served a true and correct copy of the following described pleading or document on the persons listed below on this 7th day of September, 2022:

Document Served:

PETITION FOR REVIEW OF  
INTERLOCUTORY ORDER AND PETITION  
FOR STAY

Persons Served:

Paul B. Rippel  
Austin O. Allen  
HOPKINS RODEN CROCKETT  
HANSEN & HOOPES, PLLC  
428 Park Ave.  
Idaho Falls, ID 83402  
paulrippel@hopkinsroden.com  
austinallen@hopkinsroden.com

Via Email

/s/ Paul L. Fuller  
Paul L. Fuller  
FULLER & BECK LAW OFFICES, PLLC