

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

DONALD SORRELLS,)	
)	CASE NO. GNR-U-22-03
COMPLAINANT,)	
)	
vs.)	ORDER NO. 35534
)	
SUNNYSIDE PARK UTILITIES, INC.,)	
)	
RESPONDENT.)	
_____)	

On March 9, 2022, Donald Sorrells (“Complainant” or “Sorrells”) filed a complaint (“Complaint”) against Sunnyside Park Utilities (“Company” or “SPU”), an un-regulated small water company, with the Idaho Public Utilities Commission (“Commission”). Sorrells alleged that SPU had notified him that it intended to terminate his water service pursuant to violations of IDAPA 31.21.01.302, and Sorrells requested the Commission prohibit SPU from terminating his service. Sorrells further requested the Commission find that SPU was a regulated utility under the regulatory authority of the Commission.

After reviewing the record and the arguments of the parties, on August 23, 2022, the Commission issued Order No. 35513. The Commission found that, based upon the evidence submitted, the Company was subject to the Commission’s regulatory authority. The Commission gave the Company until September 23, 2022, to file for a Certificate of Public Convenience and Necessity (“CPCN”).

On September 7, 2022, the Company filed a motion to amend its answer, a petition to stay Order No. 35513, and a petition to review Order No. 35513. The Company represented that it had transitioned into a nonprofit corporation that was statutorily exempt from Commission regulation. The Company submitted new documentation in support of its motion, petitions, and amended answer.

On September 20, 2022, the Commission considered the Company’s motion and petitions during the Commission’s decision meeting and, upon motion therein, granted the Company’s motion to amend its answer; granted the Company’s petition to review Order No. 35513, setting an initial comment deadline of October 13, 2022, and a Company reply comment deadline of

October 20, 2022; and granted the Company's petition to stay Order No. 35513 for ninety (90) days, or the Commission issues an earlier order.

The Commission now enters this order in conformity with its decision.

ORDER

IT IS HEREBY ORDERED that the Company's motion to amend its answer is granted.

IT IS FURTHER ORDERED that the Company's petition to review Order No. 35513 is granted. Parties shall have until October 13, 2022, to submit comments on the Company's amended answer, and the Company shall have until October 20, 2022, to submit any reply comments.

IT IS FURTHER ORDERED that the Company's petition to stay Order No. 35513 is granted. Order No. 35513 is stayed for ninety (90) days, or the Commission issues an earlier order.

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 26th day of September 2022.



ERIC ANDERSON, PRESIDENT

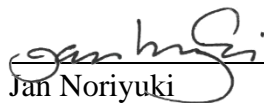


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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