

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ASPEN CREEK)	CASE NO. ASP-W-24-02
WATER CO., INC.’S APPLICATION TO)	
AMEND CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY NO. 403)	ORDER NO. 36417
)	

On August 20, 2024, Aspen Creek Water Co., Inc. (“Company”) applied to amend its Certificate of Public Convenience and Necessity No. 403 (“CPCN”).

On September 13, 2024, the Commission issued a Notice of Application and Notice of Modified Procedure establishing public comment and Company reply deadlines. Order No. 36321. Staff filed the only comments to which the Company did not reply.

Having reviewed the record in this case, we now issue this Order amending the Company’s CPCN No. 403 as requested.

THE APPLICATION

The Company requests to enlarge its existing CPCN to incorporate property that is contiguous to its existing system and certificated area where it intends to serve a new customer who has requested service from the Company.

The Company proposes to serve the customer through infrastructure that would be paid for by the Company or in agreement with the customer.

The Company provided proof of authorization it received from the Idaho Department of Environmental Quality which allows it to upgrade and expand its system to meet additional demand, including the customer requesting service.

THE COMMENTS

Staff recommended the Commission approve the Company’s Application to amend its CPCN No. 403, basing its analysis on the requirements of *Idaho Code* § 61-526. Staff reviewed whether (1) the area the Company requested to add to its CPCN was accurately described; (2) if the area encroaches upon the certificated area of another public water company; and (3) whether the area is included in the Company’s water right. Staff confirmed the Company’s Application (1) accurately described the area where the Company will serve if its CPCN is amended; (2) does not cover an area already served by another public utility; and (3) contemplates adding an area to its CPCN within the Company’s existing water right. To complete its review and recommendation,

Staff reviewed the Company's legal description and map provided with the Application in addition to information available from the Idaho Department of Water Resources.

COMMISSION DECISION AND FINDINGS

The Commission has authority over this matter and the issue in this case under Title 61 of the Idaho Code. Specifically, the Commission regulates "public utilities," including "water corporations" that serve the public or some portion thereof for compensation. *See Idaho Code* §§ 61-125, -129, -501, and -526.

Having reviewed the record in this case, we find it appropriate to grant the relief requested by the Company. The Company's CPCN No. 403 shall be amended to include the legal description found in Attachment A to Staff's Comments and the map of the service area provided as Attachment B to Staff's Comments.

ORDER

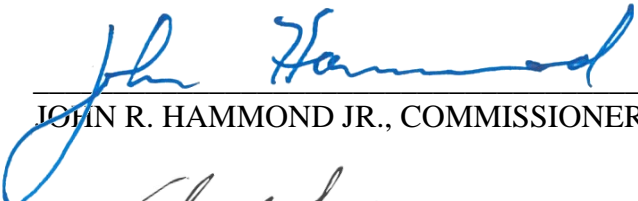
IT IS HEREBY ORDERED that the Company's CPCN No. 403 shall be amended to include the legal description found in Attachment A to Staff's Comments and the map of the service area provided as Attachment B to Staff's Comments.

IT IS FURTHER ORDERED Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date upon this Order regarding any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* §§ 61-626.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 9th day of December 2024.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Monica Barrios-Sanchez
Commission Secretary

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