

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF ATOMIC WATER</b>	)	<b>CASE NO. ATW-W-23-01</b>
<b>WORK’S APPLICATION FOR A</b>	)	
<b>CERTIFICATE OF PUBLIC CONVENIENCE</b>	)	<b>NOTICE OF APPLICATION</b>
<b>AND NECESSITY</b>	)	
	)	<b>NOTICE OF</b>
	)	<b>INTERVENTION DEADLINE</b>
	)	
	)	<b>ORDER NO. 35698</b>
	)	

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On January 31, 2023, Vickie O’Haro and Blake Lyle through their “company, Atomic Water Works” (“Company”)<sup>1</sup> applied to the Commission for a Certificate of Public Convenience and Necessity (“CPCN”), to provide water service in Atomic City, Idaho. Application at 1.

The Commission now issues this Notice of Application and Notice of Intervention Deadline establishing deadlines for interested parties to intervene.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that the Company represents that it recently purchased the water system providing service in Atomic City which currently serves 28 residential and two commercial accounts. *Id.*

YOU ARE FURTHER NOTIFIED that the Company’s proposed rate schedule for residential customers is a flat rate of \$55.00 monthly per residential connection, with a non-flowing rate of \$27.50 monthly per residential connection. *Id.* at Attachment 22. The Company’s proposed rate schedule for commercial customers is a flat rate of \$111.00 per month. *Id.* at Attachment 19.

YOU ARE FURTHER NOTIFIED that the Company provided notice of its purchase and the Application for a CPCN to customers on October 25, 2022. *Id.* at Attachment 22.

YOU ARE FURTHER NOTIFIED that the Application and supporting documentation have been filed with the Commission and are available for public inspection during regular business hours at the Commission’s office. These documents are also available on the

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<sup>1</sup> On September 21, 2022, BVL Farms LLC, an Idaho limited liability company, became associated with the assumed business name “Atomic Water Works” according to records on the Idaho Secretary of States’ website. <https://sosbiz.idaho.gov/search/business>. This assumed business name was previously associated with Vickie O’Haro and Blake Lyle. *Id.* Based on the records on the Idaho Secretary of States’ website there is a lack of clarity on who owns and operates the water system serving customers in Atomic City, Idaho, an individual or a legal entity.

Commission's website at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click on the "WATER" icon, select "Open Cases," and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that the Commission has jurisdiction over the Company, its filing, and the issues pertaining to this case pursuant to Title 61 of the Idaho Code.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

#### **NOTICE OF INTERVENTION DEADLINE**

YOU ARE FURTHER NOTIFIED that persons desiring to intervene in this matter to obtain parties' rights of participation must file a Petition to Intervene with the Commission pursuant to Commission Rules of Procedure 71-73, IDAPA 31.01.01.072 and .073. **Persons who wish to intervene as a party must file a Petition to Intervene no later than 21 days after the date of service of this Order.** Such persons shall also provide the Commission Secretary with their email address to facilitate further communications. After the intervention deadline runs, the Commission Secretary shall issue a Notice of Parties that identifies the parties and assigns exhibit numbers to each party. Once the Notice of Parties has been issued, Commission Staff shall confer with the Company and any intervening parties about how to further process this case and shall then report back to the Commission on a proposed case schedule.

YOU ARE FURTHER NOTIFIED that persons who would like to present their views without parties' rights of participation and cross-examination do not have to intervene but may present their views by submitting written comments to the Commission.

YOU ARE FURTHER NOTIFIED that the following person is designated as the Company's representative in this matter:

Vickie O'Haro  
Atomic Water Works  
1772 N 2650 W  
Atomic City, ID 83215  
[vickieok72@yahoo.com](mailto:vickieok72@yahoo.com)

#### **ORDER**

IT IS FURTHER ORDERED that persons desiring to intervene in this case for the purpose of obtaining parties' rights of participation must file a Petition to Intervene with the Commission, under Rules 71-73, IDAPA 31.01.01.071-.073, no later than 21 days after the service date of this Order.

NOTICE OF APPLICATION  
NOTICE OF INTERVENTION DEADLINE  
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IT IS FURTHER ORDERED that, after the Secretary issues a Notice of Parties, Staff will informally confer with the parties to discuss the appropriate scheduling of this case.

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 9<sup>th</sup> day of March 2023.



ERIC ANDERSON, PRESIDENT

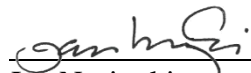


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki  
Commission Secretary

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