

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF ATOMIC WATER ) CASE NO. ATW-W-23-01**  
**WORK’S APPLICATION FOR A )**  
**CERTIFICATE OF PUBLIC CONVENIENCE ) NOTICE OF MODIFIED**  
**AND NECESSITY ) PROCEDURE**  
)  
)  
) **ORDER NO. 35760**  
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On January 31, 2023, Vickie O’Haro and Blake Lyle dba 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.

On March 9, 2023, the Commission issued a Notice of Application and established a 21-day intervention period. Order No. 35698. No party intervened in this case.

At the Commission’s April 25, 2023, Decision Meeting, Staff represented it had informally conferred with the Company regarding public comment and Company reply deadlines.

The Commission now issues this Notice of Modified Procedure establishing deadlines for interested parties to comment on the Application and for the Company to reply.

**NOTICE OF MODIFIED PROCEDURE**

YOU ARE HEREBY NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter, and it will review the case through written submissions under the Commission’s Rules of Modified Procedure Rules 201-204 of the Idaho Public Utilities Commission’s Rules of Procedure, IDAPA 31.01.01.201-204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that persons desiring to state a position on this Application may file a written comment explaining why they support or oppose the Application. Persons who would like a hearing must specifically request a hearing in their written comments.

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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.

**Persons shall have until June 8, 2023, to file written comments.** Comments must be filed through the Commission’s website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission’s website at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the “Case Comment Form” and complete the form using the case number as it appears on the front of this document. To file by e-mail, the customer must e-mail the comments to the Commission Secretary and the Company at the e-mail addresses listed below. If computer access is unavailable, then comments may be mailed to the Commission and Company at these addresses:

**For the Idaho Public Utilities  
Commission:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

**For Atomic Water Work:**

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

Street Address for Express Mail:

11331 W. Chinden Blvd.  
Building 8, Suite 201-A  
Boise, ID 83714

**YOU ARE FURTHER NOTIFIED** that the Company must file any reply comments **by June 29, 2023.**

**YOU ARE FURTHER NOTIFIED** that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

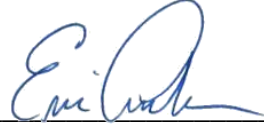
**ORDER**

**IT IS HEREBY ORDERED** that the Company’s Application be processed by Modified Procedure. Persons interested in submitting written comments must do so by June 8, 2023. The Company must file any reply comments by June 29, 2023.

**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 28<sup>th</sup> day of April 2023.



ERIC ANDERSON, PRESIDENT

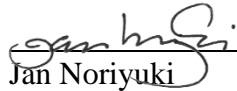


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki  
Commission Secretary

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