

DECISION MEMORANDUM

**TO: COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSIONER KEMPTON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: SCOTT WOODBURY
DEPUTY ATTORNEY GENERAL**

DATE: NOVEMBER 25, 2008

**SUBJECT: CASE NO. BCS-W-08-01 (Bar Circle “S” Water)
BAR CIRCLE “S” WATER COMPANY’S REQUEST TO AMEND
ITS CERTIFICATE NO. 296**

On November 21, 2008, Bar Circle “S” Water Company (Bar Circle “S”; Company) filed an Application with the Idaho Public Utilities Commission (Commission) requesting authority to amend its Certificate of Convenience and Necessity No. 296 to include a new subdivision, Double T Estates in Kootenai County, Idaho.

Bar Circle “S” Water Company provides water service to the Bar Circle “S” Ranch subdivision located on the Rathdrum Prairie in Kootenai County, Idaho approximately seven miles north of the City of Coeur d’Alene. The Company currently serves approximately 156 residential and 1 commercial customers. Residential customers are typically located on five acre lots.

An application and plat map for a new subdivision, Double T Estates, has been filed with Kootenai County for approval. The final plat has not yet been approved but approval is expected soon and construction should begin in the next few months. The new subdivision is located on approximately 237 acres in a portion of the West ½ of Section 14, Township 52 North, Range 4 West of the Boise Meridian (W½ S14, T52N, R4W, BM) in Kootenai County, Idaho. This subdivision is located approximately 1,300 lineal feet from the existing Bar Circle “S” service area at the Ohio Match Road and Ramsey Road intersection. A vicinity map is attached to the Company’s Application and shows the location of the existing service area and the proposed new subdivision. Also attached is a copy of the proposed plat map of the new

subdivision. A final approved plat map complete with detail of the location of all water system installations will be provided to the Commission when completed.

Bar Circle "S" recently had a hydraulic engineering study performed of its water system by Toothman-Orton Engineering. The new subdivision will contain 47 five acre residential home sites. The hydraulic modeling study performed by the consulting engineers determined that there is adequate capacity on the Company's existing system to serve this new subdivision without the need for construction of additional source of supply or reservoir facilities.

Construction costs of the water distribution system including mains, valves, fire hydrants, customer service line taps, meter boxes, meter bases and the line extension required to interconnect to the existing water system will be paid by the subdivision developer and contributed to Bar Circle "S" Water Company. The only cost to be borne by the Company will be the cost of meters at the time a property is developed and service is requested. Addition of this service area to the existing system will have no adverse effect on the Company's existing customers.

The Company is not aware of any other water company in the vicinity of the new subdivision that would be willing and able to provide service to the area being developed.

Bar Circle "S" requests that the Commission process its Application under the Commission's rules of Modified Procedure.

COMMISSION DECISION

The Bar Circle "S" Water Company has requested an expansion of its Certificate of Convenience and Necessity No. 296 to serve a new subdivision, Double T Estates, in Kootenai County, Idaho. The Company and Staff recommend that the Application be processed pursuant to Modified Procedure. Does the Commission agree with the recommended procedure?



Scott Woodbury
Deputy Attorney General

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