

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION) CASE NO. BCS-W-19-01
OF GEM STATE WATER COMPANY FOR) DIA-W-19-01
APPROVAL OF ACQUISITION OF THE)
ASSETS AND TRANSFER OF THE CPCN'S) NOTICE OF APPLICATION
OF DIAMOND BAR ESTATES AND BAR)
CIRCLE S WATER) NOTICE OF
) MODIFIED PROCEDURE
)
) ORDER NO. 34347

On April 29, 2019, Gem State Water Company, LLC (“Gem State Water” or “Company”) filed an Application seeking approval of the Company’s acquisition of the assets of Diamond Bar Estates, L.L.C. (“Diamond Bar”) and Bar Circle “S” Water, Inc. (“Bar Circle”) and the transfer of each Company’s respective certificate of public convenience and necessity (“CPCN”) to Gem State Water.

The Commission now issues this Notice of Application and Notice of Modified Procedure setting comment and reply deadlines.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Northwest Natural Gas Company is a 160-year old natural gas utility that serves customers in the Pacific Northwest. As part of a recent reorganization, Northwest Natural Gas Company formed the Northwest Natural Holding Company, which holds companies including NW Natural Water Company, LLC and its subsidiary, NW Natural Water of Idaho, LLC. In 2018, the Commission approved NW Natural Water Company, LLC’s acquisition of an Idaho water utility. *See* Order No. 34103 (approving NW Natural Water Company, LLC’s acquisition of Falls Water Company).

YOU ARE FURTHER NOTIFIED that Gem State Water is a wholly owned subsidiary of NW Natural Water of Idaho, LLC, which is a wholly owned subsidiary of NW Natural Water Company, LLC.

YOU ARE FURTHER NOTIFIED that Gem State Water has applied to the Commission for authority to acquire the assets and CPCN’s of two Idaho water utilities, Diamond Bar and Bar Circle.

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YOU ARE FURTHER NOTIFIED that Diamond Bar is a regulated water utility that serves about 46 customers under CPCN No. 413 in or near Kootenai County, Idaho.

YOU ARE FURTHER NOTIFIED that Bar Circle is a regulated water utility that serves about 218 residential customers and one commercial customer under CPCN No. 296 in or near Kootenai County, Idaho.

YOU ARE FURTHER NOTIFIED that Gem State Water is not requesting any changes to rates, rate structure, or other charges in this Application and states that any future changes will be based on prudently incurred capital expenditures and other accepted ratemaking principles.

YOU ARE FURTHER NOTIFIED that the Application is available for public inspection during regular business hours at the Commission's office. These documents are also available on the Commission's web site at www.puc.idaho.gov. Click on the "File Room" tab at the top of the page, then select "Water Cases" and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and specifically *Idaho Code* §§ 61-502 and 61-503.

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 MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter, and that it will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Commission's Rules of Procedure, IDAPA 31.01.01.201 through .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 any person desiring to state a position on this Application **may file a written comment in support or opposition with the Commission by no later than July 23, 2019.** The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Company at the addresses reflected below:

**For the Idaho Public Utilities
Commission**

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5918

For Gem State Water Company:

Preston N. Carter
Givens Pursley LLP
601 W. Bannock St.
Boise, ID 83702
Email: prestoncarter@givenspursley.com
kendrah@givenspursley.com

Eric W. Nelsen
Senior Regulatory Attorney
NW Natural
220 NW 2nd Ave.
Portland, OR 97209
Email: Eric.Nelsen@nwnatural.com

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.idaho.gov. Click the "Consumers" tab then click the "Case Comment or Question Form" and complete the comment form using the case number as it appears on the front of this document.

YOU ARE FURTHER NOTIFIED that the Company shall file reply comments, if necessary, **by no later than July 30, 2019.**

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 Application of the Company be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by July 23, 2019. The Company may file reply comments by no later than July 30, 2019.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this *30th*
day of May, 2019.



PAUL KELLANDER, PRESIDENT



KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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