

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>INVESTIGATION INTO DRY CREEK</b>	)	<b>CASE NO. DRY-W-24-01</b>
<b>WATER COMPANY, LLC, OWNER OF A</b>	)	
<b>WATER SUPPLY AND DISTRIBUTION</b>	)	<b>ORDER NO. 36268</b>
<b>SYSTEM</b>	)	
	)	

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On June 25, 2024, Dry Creek Water Company, LLC (“Company”) filed a petition to amend Order No. 36195 to extend the existing June 26, 2024, deadline for filing reply comments in this case (“Petition”). Specifically, the Company seeks a 28-day extension of the reply comment deadline. In support of this request, the Company alleges that it retained counsel two days before reply comments were due to be filed and additional time is necessary for that counsel to review and respond to Staff’s comments. The Company further asserts that extending the reply comment deadline would provide additional time for the parties to explore alternative avenues to resolve this matter.

On June 26, 2024, the Company filed reply comments, arguing that it is not operating within the Commission’s jurisdiction and regulation by the Commission is otherwise unnecessary. The Company further indicated that the reply comments should be considered preliminary and, if the Commission grants the petition to amend the reply comment deadline, the Company reserved the right to supplement its reply comments.

During the Commission’s July 2, 2024, decision meeting, Commission Staff (“Staff”) presented a decision memorandum recommending that the Idaho Public Utilities Commission (“Commission”) treat the Company’s petition as a motion requesting expeditious consideration. The decision memorandum further indicated that Staff did not oppose the requested extension.

We now issue this Order granting the Company’s requested relief.

**COMMISSION FINDINGS AND DECISION**

The Petition seeks procedural relief and, therefore, is better treated as a motion under the Commission’s Rules for Procedure. Although the Petition does not specifically cite Commission Rule of Procedure 256.03 (which governs the procedure on motions before the Commission, including those for expedited consideration), the Company requested expeditious consideration of its Petition and notified the only other party to the case it planned to do so. Additionally, more than two business days elapsed before the July 2, 2024, decision meeting during which the Commission

considered the Company's Petition. Because the Petition meets the requirements for expeditious consideration (party notice and duration before consideration) of a motion under Rule 256, we will treat the Petition as a motion and consider the Company's request in expedited fashion.

As this is the Company's first request for an extension and the only other party to this case does not object, we find it reasonable to grant the Company's motion for a 28-day extension of the June 26, 2024, deadline for filing reply comments. We further find it reasonable to treat the comments the Company filed on June 26, 2024, as preliminary. The Company must file any additional supplementary comments by no later than July 24, 2024.

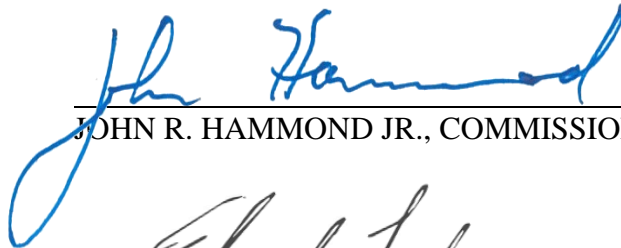
**ORDER**

IT IS HEREBY ORDERED that the Company's request to amend Order No. 36195 to provide an additional 28 days to file reply comments is granted. Accordingly, the Company must file any additional supplementary comments by July 24, 2024.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this 17<sup>th</sup> day of July 2024.



ERIC ANDERSON, PRESIDENT



JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez  
Commission Secretary

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