

**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. 36278</b>
<b>SYSTEM</b>	)	
	)	

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On July 17, 2024, the Commission issued Order No. 36268, which extended the original June 26, 2024 deadline for Dry Creek Water Company, LLC (“Company”) to file reply comments established in Order No. 36195 to July 24, 2024.

On July 23, 2024, the Company filed an expedited motion seeking to amend Order No. 36268 to extend the reply comment deadline established therein by 60 days with a requirement that the Company give Commission Staff (“Staff”) a status update in no later than 30 days. In support of this request, the Company indicated that, since the Commission issued Order No. 36268, counsel for the Company and Staff have been communicating to address the issues raised in Staff’s comments. However, an in-person meeting between Staff and Company representatives could not be held until July 22, 2024. Although the Company described the meeting as productive, it indicated that it required additional time to coordinate with its financial partners to try to evaluate and potentially pursue avenues that may result in this case resolving via a settlement or stipulation.

During the Commission’s July 23, 2024, decision meeting, Staff presented a decision memorandum recommending expeditious consideration of the Company’s request. The decision memorandum further indicated that Staff did not oppose the requested extension.

We now issue this Order holding the Company’s expedited motion to amend Order No. 36268 in abeyance and allowing the Company until August 2, 2024, to file additional information supporting the requested extension. To facilitate this, we also vacate the current Company reply comment deadline of July 24, 2024, and reset it for August 16, 2024.

**COMMISSION FINDINGS AND DECISION**

The Company seeks procedural relief in the form of a 60-day extension of the existing July 24, 2024, reply comment deadline with a requirement that the Company update Staff on its efforts to resolve the issue in this case within 30 days. As the only other party to this case, Staff has indicated it does not oppose the extension, we find it unnecessary to adhere to Commission Rule of Procedure 256.02(b), IDAPA 31.01.01.256.02(b), to allow Staff two days to state its position

on the motion. Accordingly, we will exercise our authority under Commission Rule of Procedure 13, IDAPA 31.01.01.13, to deviate from the requirements of Rule 256.02(b) and consider the Company's motion immediately.

We previously granted the Company's request to extend the original reply comment deadline of June 26, 2024, by 28 days to July 24, 2024. Although Staff does not oppose the Company's request for a second extension, we cannot say that granting the requested extension is reasonable based upon the current record. The Company represents that it needs additional time to, in coordination with its numerous financial partners, evaluate and pursue avenues that may resolve this case via settlement or stipulation. Without additional detail regarding what solution is under consideration, however, we cannot determine whether the requested 60-day extension is reasonable or if it substantially overestimates the time the Company needs to pursue additional avenues to resolve this case. Conversely, it would not serve the public interest to deny the Company's motion considering the Company's efforts to communicate and meet with Staff about alternative resolutions to this case.

Accordingly, we find it reasonable to hold the Company's motion to amend Order No. 36268 in abeyance and grant the Company until August 2, 2024, to file additional information in support of its motion, indicating how it may seek to resolve this matter if an extension is granted. After considering any additional information timely filed by the Company, we will take up the Company's motion again and issue an appropriate order. To facilitate this, we find it reasonable to vacate the existing July 24, 2024, reply comment deadline established in Order No. 36268, and reset it for August 16, 2024, in the event the Company does not file additional information in support of its request for an extension.

### **ORDER**

IT IS HEREBY ORDERED that the Company's request to amend Order No. 36268 is held in abeyance. The Company has until August 2, 2024, to file additional information in support of its motion, indicating how it may seek to resolve this matter if an extension is granted.

IT IS FURTHER ORDERED that the existing July 24, 2024, reply comment deadline established in Order No. 36268, is vacated and reset for August 16, 2024.

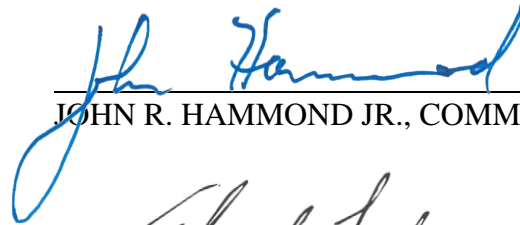
IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between

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 26<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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