

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

INVESTIGATION INTO DRY CREEK)	CASE NO. DRY-W-24-01
WATER COMPANY, LLC, OWNER OF A)	
WATER SUPPLY AND DISTRIBUTION)	ORDER NO. 36430
SYSTEM)	
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On May 24, 2024, the Commission issued Order No. 36195, opening a formal investigation into whether Dry Creek Water Company, LLC (“Company”) is operating as a public utility subject to Commission regulation and setting public comment and Company reply deadlines. Staff filed comments, recommending that the Commission exercise regulatory jurisdiction over the Company.

On July 17, 2024, the Commission granted the Company the first of multiple extensions of its reply comment deadline to engage in settlement negotiations with Staff. Order No. 36268. Over the next few months, the Company and Staff worked to resolve this case.

On September 23, 2024, Staff and the Company jointly moved for approval of a proposed settlement they had entered. The terms of the settlement contemplate the Company coming under Commission regulation and receiving a Certificate of Public Convenience and Necessity (“CPCN”) on January 1, 2025 (“Settlement”). To facilitate this, the Settlement required the Company to submit a compliance filing no later than November 8, 2024, providing the information reasonably necessary to issue a CPCN.

On October 16, 2024, the Commission issued Notice of Proposed Settlement and established a deadline for all interested entities to file comments. Order No. 36361.

On October 18, 2024, Staff and the Company each filed comments in support of the Settlement. Furthermore, Staff concluded an evaluation of the Company’s current rates, which have been in effect since 2023. Based on this evaluation, Staff believed the Company’s current rate structure and fees are fair, just, and reasonable.

On November 1, 2024, the Commission approved the Settlement, without modification. Order No. 36382.

On November 8, 2024, the Company applied for a CPCN, submitting the CPCN application (“Application”) under Case No. DRY-W-24-02.

During the Commission's December 18, 2024, decision meeting, Staff presented a decision memorandum, indicating that it believed the Application filed in Case No. DRY-W-24-02 should be treated as a compliance filing consistent with the terms of the Settlement with final resolution occurring in this case. That Application included relevant corporate documents, a proposed tariff, legal description and map, and other necessary documents. Staff reviewed the Company's documents, including its proposed tariff, legal description, and corporate documents, and confirmed they conform to the Settlement. Staff also reviewed the Company's Idaho Department of Environmental Quality's sanitary survey, water rights, and facility plan. Based on this review, Staff believed that the Company has the necessary capacity and water rights to reliably serve its customers.

Accordingly, Staff recommended that the Commission issue the Company a CPCN covering a service territory consistent with the legal description and map attached to Staff's December 18, 2024, decision memorandum. Staff further recommended Commission approval of the proposed tariff the Company submitted, effective January 1, 2025.

COMMISSION FINDINGS AND DECISION

Having reviewed the record and the Company's submission and Staff's recommendations, the Commission finds it reasonable to treat the Application the Company filed in Case No. DRY-W-24-02 as a compliance filing in this case. We believe this is consistent with the terms of the Settlement we approved in Order No. 36382 and will more efficiently complete the Company's transition to regulation. Additionally, we find that the Company has complied with the provision of the Settlement requiring it, by November 8, 2024, to provide the documents and information reasonably necessary to issue a CPCN. Accordingly, we find it reasonable to issue the Company a CPCN, effective January 1, 2025, with a certificated service territory consistent with the legal description and map attached to Staff's December 18, 2024, decision memorandum. Additionally, we hereby approve the Company's proposed tariff, effective January 1, 2025.

ORDER

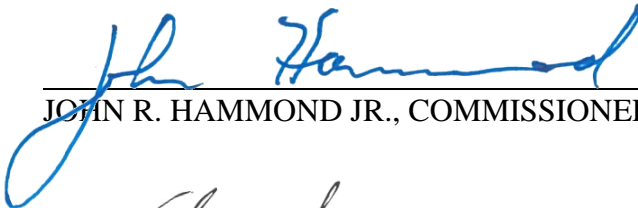
IT IS HEREBY ORDERED that the Company is granted a CPCN, effective January 1, 2025. The Company's service territory designated in this CPCN shall be consistent with the legal description and map attached to Staff's December 18, 2024, decision memorandum.

IT IS FURTHER ORDERED that the Company's proposed tariff is approved, effective January 1, 2025.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date upon this Order regarding any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* § 61-626.

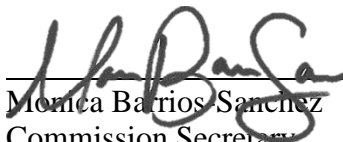
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this 27th day of December 2024.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Monica Barrios Sanchez
Commission Secretary

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