## **BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

)

)

)

)

))

)

)

)

IN THE MATTER OF THE APPLICATION OF EAGLE WATER COMPANY, INC. TO AMEND CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 278.

CASE NO. EAG-W-04-01 NOTICE OF APPLICATION NOTICE OF MODIFIED PROCEDURE NOTICE OF COMMENT/

**PROTEST DEADLINE** 

YOU ARE HEREBY NOTIFIED that on January 7, 2004, Eagle Water Company, Inc. (Eagle Water; Company) filed an Application with the Idaho Public Utilities Commission (Commission) requesting authorization to amend and revise its Certificate of Public Convenience and Necessity No. 278 (as amended) by enlarging and extending its certification service area boundaries to include the Idaho State Veterans Cemetery (Cemetery). Reference *Idaho Code* § 61-526; Commission Rules of Procedure, IDAPA 31.01.01.112. The Cemetery is located on old Horseshoe Bend Road just north of the Dry Creek Cemetery in Ada County and is adjacent to Bonita Hills Subdivision, which Eagle Water currently serves. A legal description of the property is attached to the Application (Application, Exhibit B).

Eagle Water represents that the developer of the Idaho State Veterans Cemetery has requested that Eagle Water provide water service. A copy of the developer's request is attached to the Company's Application (Application, Exhibit A). The water service will be used for fire protection, domestic water in the buildings, and for a proposed future water fountain.

Service to the Cemetery will be provided through Eagle Water's eight-inch main line located on the east side of Old Highway 55/Horseshoe Bend Road. Extension of service to the Cemetery by Eagle Water will require excavation; installation of mains, fire hydrants, and service meter boxes; bedding; backfill; compaction; inspection; and testing. The estimated construction cost for this project is between \$44,500 and \$46,500 plus legal fees, all of which will be paid by the developer pursuant to Eagle Water's standard "Main Extension Contract." The proposed expansion will add one customer to Eagle Water's customer base. The estimated

NOTICE OF APPLICATION NOTICE OF MODIFIED PROCEDURE NOTICE OF COMMENT/PROTEST DEADLINE 1 monthly gross revenue from the Cemetery is \$30 to \$50. Eagle Water proposes to begin construction in March 2004 and complete construction in April 2004.

Eagle Water states that it has an adequate source of supply to provide service to the Cemetery in a safe and reliable manner. Eagle Water contends that the extension of its facilities to serve the Cemetery is consistent with the public convenience and necessity. Eagle Water states that the expansion of service territory and related extension of service will not impact the Company's revenue requirements.

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the filings of record in Case No. EAG-W-04-01. The Commission has preliminarily found that the public interest in this matter may not require a hearing to consider the issues presented, and that issues raised by the Company's filing may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. Reference Commission Rules of Procedure, IDAPA 31.01.201-204.

YOU ARE FURTHER NOTIFIED that the Commission may not hold a hearing in this proceeding unless it receives written protests or comments opposing the use of Modified Procedure and stating why Modified Procedure should not be used. Reference IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that the deadline for filing written comments or **protests** with respect to the Application and the Commission's use of Modified Procedure in Case No. EAG-W-04-01 is **Friday, February 13, 2004**.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the deadline, the Commission may consider the matter on its merits and may enter its Order without a formal hearing. If comments or protests are filed within the deadline, the Commission will consider them and in its discretion may set the matter for hearing or may decide the matter and issue its Order based on the written positions before it. Reference IDAPA 31.01.204.

YOU ARE FURTHER NOTIFIED that written comments concerning Case No. EAG-W-04-01 should be mailed to the Commission and the Company at the addresses reflected below. COMMISSION SECRETARY IDAHO PUBLIC UTILITIES COMMISSION PO BOX 83720 BOISE, IDAHO 83720-0074

MOLLY O'LEARY RICHARDSON & O'LEARY PLLC 99 E STATE STREET, STE 200 PO BOX 1849 EAGLE ID 83616 molly@richardson&oleary.com

Street Address for Express Mail:

472 W WASHINGTON ST BOISE, ID 83702-5983

All 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 <u>www.puc.state.id.us</u>. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail address listed above.

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

YOU ARE FURTHER NOTIFIED that the Application in Case No. EAG-W-04-01 can be reviewed at the Commission's Home Page at <u>www.puc.state.id.us</u> by clicking on "File Room" and "Water Cases", or can be viewed during regular business hours at the Idaho Public Utilities Commission, 472 West Washington Street, Boise, Idaho.

DATED at Boise, Idaho this  $26^{44}$  day of January 2004.

Commission Secretary

Vld/N:EAGW0401\_sw

NOTICE OF APPLICATION NOTICE OF MODIFIED PROCEDURE NOTICE OF COMMENT/PROTEST DEADLINE 3