

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION) CASE NO. EAG-W-04-2
OF EAGLE WATER COMPANY, INC., TO)
AMEND ITS CERTIFICATE OF PUBLIC) NOTICE OF APPLICATION
CONVENIENCE AND NECESSITY NO. 278.)
) **NOTICE OF**
) **MODIFIED PROCEDURE**
)
) **NOTICE OF**
) **COMMENT/PROTEST DEADLINE**
)
) **ORDER NO. 29519**

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that on May 21, 2004, Eagle Water Company, Inc. (Eagle Water; Company) filed an Application with the Idaho Public Utilities Commission (Commission) requesting authorization to amend its Certificate of Public Convenience and Necessity No. 278 by extending the boundary of the area in which it is authorized to provide service. This proposed expansion is located in Ada County just east of Old Highway 55/Horseshoe Bend Road and immediately south of the Farmers Union Canal. The proposed area to be served contains five parcels and is contiguous to Eagle Water's main system.

YOU ARE FURTHER NOTIFIED that according to the Company's Application, Jan G. Troutner, Dorthy McKay and the Dry Creek Cemetery Maintenance District have requested water service to their respective properties as evidenced by Exhibits A-C. Service to these properties would 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 these parcels 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 \$15,000 and \$20,000 plus legal fees, all of which will be paid by the developer pursuant to Eagle Water's standard "Main Extension Contract" as provided for in its tariff on file with the

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Commission. In addition to construction costs, Eagle Water will incur legal fees in connection with this Application that have yet to be determined.

YOU ARE FURTHER NOTIFIED that Eagle Water proposes to begin construction in June 2004 and complete construction in August 2004. The proposed expansion will add three to five customers to Eagle Water's customer base. The Company estimates that the monthly gross revenue per such customer is \$20 to \$30. According to the Application, there will be no affect on Eagle Water's revenue requirement.

YOU ARE FURTHER NOTIFIED that Eagle Water states it has an adequate source of supply to provide service to these properties in a safe and reliable manner, as evidenced by a letter from James M. Rees, P.E., MTC, Inc. The Company also submits that the extension of its facilities to service the Idaho State Veterans Cemetery is consistent with the public convenience and necessity. Finally, Eagle Water requests that its Application be processed pursuant to Modified Procedure, i.e., by written submission rather than by hearing. IDAPA 31.01.01.201-204.

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the filings of record in Case No. EAG-W-04-2. The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case, and that the issues raised by the Company's filing may be processed under **Modified Procedure**. (i.e., by written submission rather than by hearing). IDAPA 31.01.01.201-204. In so doing, the Commission notes that Modified Procedure and written comment have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that the Commission will 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. IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that if no protests or comments are received within the deadline, the Commission may consider the matter and enter its Order without a hearing. If protests or comments are filed within the deadline, the Commission will consider

them and may set the matter for hearing or may decide the matter and issue its Order on the basis of the written positions before it. Reference IDAPA 31.01.01.204.

NOTICE OF COMMENT/PROTEST DEADLINE

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-04-2 is **21 days from the service date of this Order**. The comment must contain a statement of reasons supporting the comment. IDAPA 31.01.01.202.02. 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 Applicant at the addresses reflected below:

COMMISSION SECRETARY
IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074

Street Address for Express Mail:
472 W WASHINGTON ST
BOISE, ID 83702-5983

MOLLY O'LEARY
RICHARDSON & O'LEARY PLLC
99 E. STATE STREET, SUITE 200
PO BOX 1849
EAGLE, IDAHO 83616
Email: molly@richardsonandoleary.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 homepage located at www.puc.state.id.us. 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 Eagle Water's Application can be viewed online at www.puc.state.id.us by clicking on "File Room" and "Water Cases," or it can be viewed during regular business hours at the Idaho Public Utilities Commission, 472 West Washington Street, Boise, Idaho.


YOU ARE FURTHER NOTIFIED that the Commission has jurisdiction over this matter and Eagle Water Company, a water utility, pursuant to the authority and power granted

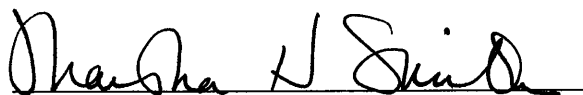
under Title 61 of the Idaho Code and the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

IT IS HEREBY ORDERED that this case be processed under Modified Procedure and the foregoing schedule be adopted.

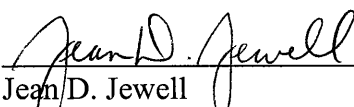
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 8th day of June 2004.


PAUL KJELLANDER, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


DENNIS S. HANSEN, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

O: EAGW0402_in

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