(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF EAGLE WATER COMPANY, INC.  FOR AUTHORITY TO EXPAND ITS CERTIFICATED AREA AND AMEND CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 278. | )  )  )  )  )  )  )  )  )  )  ) | CASE NO. EAG-W-97-1  NOTICE OF APPLICATION  NOTICE OF MODIFIED           PROCEDURE  NOTICE OF COMMENT/ PROTEST DEADLINE  ORDER NO.  27113 |

YOU ARE HEREBY NOTIFIED that on July 28, 1997 Eagle Water Company, Inc.  (Eagle Water; Company) filed an Application and on August 18, 1997 an Amended Application with the Idaho Public Utilities Commission (Commission) for authority to amend its Certificate of Public Convenience and Necessity No. 278 and to expand its certificated area of service by enlarging and extending its boundaries.

Specifically, Eagle Water proposes to expand its certificated area to include the property known as the Chase property, approximately 120 acres located on the corner of Floating Feather and Eagle Roads.  Reference Idaho Code 61-526; Commission Rules of Procedures, IDAPA 31.01.01.112.

It is reflected in the Application that the land owners of the property to which the Application applies wish is to determine a water supplier with known rates and services, which is able to provide such services in a reasonable time.  The area sought is contiguous to that already certificated to Eagle Water.  The timetable of development of the Chase property is currently unknown.  The main lines of Eagle Water, the Company contends, are already stubbed to the south and to the east of the subject property.  Expansion of the certificate to include the area sought, the Company contends, would allow immediate access to water by the land owner.  The Company contends that no physical expansion of facilities is needed.  It is estimated that 240 to 250 additional customers could be served at the time the subject property is developed.

The Application (and Amended Application) has been filed with the Commission together with related exhibits including a description of the Chase property and related map.

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the filings of record in Case No. EAG-W-97-1.  The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented and that the issues raised by the Application may be processed under Modified Procedure, i.e., by written submission rather than by hearing.   Reference Commission Rules of Procedure, IDAPA 31.01.01.201-204.

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-97-1 is Wednesday September 17, 1997.  Persons desiring a hearing must specifically request a hearing in their written protests or comments.

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 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 on the basis of the written positions before it.  Reference IDAPA 31.01.01.204.

YOU ARE FURTHER NOTIFIED that written comments concerning Case No. EAG-W-97-1 should be mailed to the Commission and Eagle Water Company at the addresses reflected below:

COMMISSION SECRETARYROBERT L. ALDRIDGE

IDAHO PUBLIC UTILITIES COMMISSIONATTORNEY FOR EAGLE WATER

PO BOX 837201209 N 8TH STREET

BOISE, IDAHO  83720-0074BOISE, IDAHO 83702-4297

Street Address for Express Mail:

472 W WASHINGTON ST

BOISE, IDAHO  83702-5983

All comments should contain the case caption and case number shown on the first page of this document.

YOU ARE FURTHER NOTIFIED that the Application in Case No. EAG-W-97-1 can be reviewed at the Commission’s office during regular business hours.

O R D E R

In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED and the Commission hereby approves the foregoing scheduling for Modified Procedure in Case No. EAG-W-97-1.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of August 1997.

                                                                                                                                      DENNIS S. HANSEN, PRESIDENT

                                                                                           RALPH NELSON, COMMISSIONER

MARSHA H. SMITH, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

vld/O:EAG-W-97-1.sw

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

August 26, 1997