

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF FALLS WATER CO., ) CASE NO. FLS-W-20-04**  
**INC.’S APPLICATION FOR APPROVAL OF )**  
**ACQUISITION OF THE ASSETS OF ) NOTICE OF APPLICATION**  
**MORNING VIEW WATER COMPANY )**  
) **NOTICE OF**  
) **MODIFIED PROCEDURE**  
)  
) **NOTICE OF PUBLIC**  
) **WORKSHOP**  
)  
) **NOTICE OF PUBLIC HEARING**  
)  
) **ORDER NO. 34774**  
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On July 31, 2020, Falls Water Co., Inc. (“Falls Water”) applied for Commission approval of Falls Water’s acquisition of the water system assets of Morning View Water Company (“Morning View”). Falls Water also asked for approval to transfer Morning View’s certificate of public convenience and necessity (“CPCN”) to Falls Water.

The Commission now issues this Notice of Application and Notice of Modified Procedure setting comment and reply deadlines. The Commission also issues notice of a public workshop and a public hearing regarding this Application.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that Falls Water is a Commission-regulated water corporation holding CPCN No. 236. Falls Water has operated a water system near Idaho Falls since 1958, and serves about 5,500 customers. Falls Water is a direct subsidiary of NW Natural Water of Idaho, LLC, which through its parent companies is owned by NW Natural Holdings.

YOU ARE FURTHER NOTIFIED that Morning View is a Commission-regulated water corporation serving about 118 residential customers under CPCN No. 314. Morning View’s service territory is in and around Rigby and is about 9 miles from Falls Water’s office location.

YOU ARE FURTHER NOTIFIED that under the proposed transaction, Falls Water will acquire Morning View’s water system assets. Falls Water states that its employees will operate the Morning View water system.

YOU ARE FURTHER NOTIFIED that on July 2, 2020, Falls Water and Morning View signed an Agreement governing the transaction. The Agreement is conditioned upon Commission approval of all requests in the Application.

YOU ARE FURTHER NOTIFIED that Falls Water asserts it “is not requesting any change to rates, rate structure, or other charges in this Application,” and that “[a]ny future changes will be based on prudently incurred capital expenditures and other accepted ratemaking principles.” Application at 4.

YOU ARE FURTHER NOTIFIED that Falls Water requests CPCN No. 314 be transferred to Falls Water.

YOU ARE FURTHER NOTIFIED that Falls Water submits with its Application the written testimony of Justin Palfreyman, President of Falls Water.

YOU ARE FURTHER NOTIFIED that the Application and supporting documentation have been filed with the Commission and are available for public inspection during regular business hours at the Commission’s office. These documents are also available on the Commission’s web site at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click on the “WATER” icon, select “Open Cases,” and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission’s jurisdiction under Title 61 of the Idaho Code, specifically *Idaho Code* §§ 61-501 to 61-503. The Commission may enter any final Order consistent with its authority under Title 61.

#### **NOTICE OF MODIFIED PROCEDURE**

YOU ARE FURTHER NOTIFIED that the Commission will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Commission’s Rules of Procedure. *See* IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that persons desiring to state a position on this Application may file a written comment explaining why the person supports or opposes the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have until October 15, 2020 to file written comments.** Comments

must be filed by e-mail unless e-mail is unavailable. To comment by e-mail, please access the Commission's home page at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Consumers" tab and then "Case Comment Form" and complete the form using the case number as it appears on the front of this document. Comments filed by e-mail must also be e-mailed to the Company at the e-mail addresses listed below. If e-mail is unavailable, then comments may be mailed to the Commission and Company at these addresses:

**For the Idaho Public Utilities  
Commission:**

Commission Secretary  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074  
E-mail: [secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

Street Address for Express Mail:

11331 W. Chinden Blvd.  
Building 8, Suite 201-A  
Boise, Idaho 83714

**For Falls Water:**

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**YOU ARE FURTHER NOTIFIED that Falls Water must file any reply comments by October 29, 2020.**

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.

**NOTICE OF PUBLIC WORKSHOP**

YOU ARE FURTHER NOTIFIED that the Staff will hold a telephonic, public, informational workshop for customers taking water service from Morning View or Falls Water on **WEDNESDAY, SEPTEMBER 30, 2020, AT 6:00 PM (MDT)**. The purpose of the workshop is to provide customers with an overview of the Application and Staff's analysis regarding how Falls Water's acquisition of Morning View's water system will impact each water

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corporations' customers. At the workshop, customers may ask Staff about the Application and how customers may further participate in the proceeding. Falls Water representatives will also be available. To participate, interested persons can call **1-415-655-0001** and enter access code **133 427 6105**.

YOU ARE FURTHER NOTIFIED that interested persons may also participate in the telephonic customer workshop online by visiting **idahogov.webex.com**, and entering **133 427 6105**. At the next window, participants should enter their name, e-mail address, and the password **WednesdayHearing**.

### **NOTICE OF PUBLIC HEARING**

YOU ARE HEREBY NOTIFIED that the Commission's Rules of Modified Procedure contemplate that a case will be processed by written submissions without the need for a public hearing. However, the Commission finds good cause to schedule a public hearing in this case because of the significant impact to Morning View's customers if Falls Water's Application is approved.

YOU ARE FURTHER NOTIFIED that the Commission will conduct a public telephonic customer hearing in this matter on **WEDNESDAY, OCTOBER 7, 2020, AT 6:00 PM (MDT)**. The purpose of the public hearing is to take testimony from members of the public and customers of Morning View and Falls Water. To participate, interested persons can call **1-800-920-7487** shortly before the designated time, and enter the passcode **6674832#** when prompted. Those planning on testifying are encouraged to start calling into the hearing at 5:30 p.m. (MDT).

YOU ARE FURTHER NOTIFIED that in order to identify callers and manage the hearing efficiently, persons interested in testifying at the public hearing are encouraged to contact Adam Rush at [adam.rush@puc.idaho.gov](mailto:adam.rush@puc.idaho.gov) or at 1-208-334-0339 and provide their name and the telephone number on which they will be calling in to the hearing. Persons wishing to testify are encouraged to contact Mr. Rush with this information no later than 4:00 p.m. (MDT) on Wednesday, Oct. 7, 2020.

YOU ARE FURTHER NOTIFIED that the telephonic hearing will meet accessibility requirements of the Americans with Disabilities Act. Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the

hearing. The request for assistance must be received at least five working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION  
P.O. BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0338 (Telephone)  
(208) 334-3762 (FAX)  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

### **ORDER**

IT IS HEREBY ORDERED that the Company's Application be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by October 15, 2020. Falls Water must file any reply comments by October 29, 2020.

IT IS FURTHER ORDERED that Commission Staff hold a telephonic, public, informational, customer workshop on Wednesday, September 30, at 6:00 p.m. MDT, as noted above.

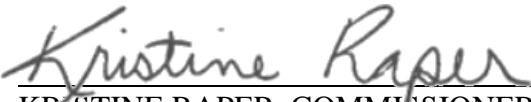
IT IS FURTHER ORDERED that the Commission will hold a telephonic public hearing on Wednesday, October 7, at 6:00 p.m. MDT.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34602, issued March 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

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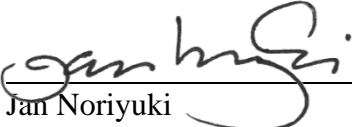
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 9<sup>th</sup>  
day of September 2020.

  
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PAUL KJELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

  
\_\_\_\_\_  
ERIC ANDERSON, COMMISSIONER

ATTEST:

  
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Jan Noriyuki  
Commission Secretary

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