

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE INVESTIGATION)	CASE NO. GNR-W-17-01
INTO WHETHER VP, INC. IS A PUBLIC)	
UTILITY SUBJECT TO REGULATION BY)	NOTICE OF CONTINUING
THE IDAHO PUBLIC UTILITIES)	INVESTIGATION
COMMISSION)	
)	ORDER NO. 35700

Beginning in 2017, the Idaho Public Utilities Commission (“Commission”) received inquiry regarding the regulatory status of VP, Incorporated (“the Company”), a private water and sewer company located near Sandpoint, Idaho. The Company has not been regulated by the Commission and does not possess a certificate of public convenience and necessity (“CPCN”).

The Commission found it reasonable to conduct an investigation pursuant to its statutory authority and jurisdiction under the Idaho Public Utilities Law, specifically Idaho Code §§ 61-612 and 61-501. Order No. 33929 at 1. The Commission directed Commission Staff (“Staff”) to determine if the Company should be a regulated utility pursuant to Idaho Code and if any steps should be taken by the Company to comply with Idaho law. *Id.*

Ongoing litigation concerning issues of ownership of the water system and service obligations between the Company and Valiant Idaho, LLC, stalled Staff’s investigation. Now, with the recent development regarding Valiant Idaho, LLC’s and TIC Utilities, LLC’s sale of certain water system assets, it appears that many of the issues that were the subject of litigation have been resolved.

We direct the Company to respond to discovery questions and inquiries made by Staff. Once Staff completes its investigation, or at the appropriate time, it shall make a recommendation to the Commission regarding the Company’s status, a requirement of a CPCN, and any further recommendations regarding the adequacy of service, and rate setting.

ORDER

IT IS HEREBY ORDERED that Staff shall continue to investigate the status of the Company. At the appropriate time, Staff shall provide a recommendation to the Commission for further action, if any.

IT IS FURTHER ORDERED that the Company respond to Staff inquiries regarding compliance with Title 61 of the Idaho Code. The Company is directed to cooperate with Staff’s

investigation of this matter. Staff is directed to issue production requests, written interrogatories or other forms of discovery as well as pursue its statutory right to examine and audit the records.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 9th day of March 2023.



ERIC ANDERSON, PRESIDENT

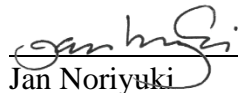


JOHN R. HAMMOND, JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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