

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE INVESTIGATION)	CASE NO. GNR-W-24-01
INTO VALIANT IDAHO, INC. AND TIC)	
UTILITIES, LLC, OWNERS OF A)	ORDER NO. 36426
NORTHERN IDAHO WATER SUPPLY AND)	
DISTRIBUTION SYSTEM)	
)	
)	

On April 23, 2024, the Commission issued a Notice of Investigation of Valiant Idaho, Inc. (“Valiant”) and TIC Utilities, LLC (“TIC”) (collectively the “Companies”), directing the Companies to respond to discovery requests from Staff and providing notice that Staff would recommend (1) whether Valiant or TIC should be deemed a regulated public utility; (2) whether a Certificate of Public Convenience and Necessity (“CPCN”) is required; and (3) whether any further action related to the adequacy of service or rate setting is necessary. Order No. 35998.

On July 8, 2024, the Commission issued a Notice of Modified Procedure, setting public comment and Company reply deadlines. Order No. 36254. Commission Staff (“Staff”) and five members of the public filed comments to which the Companies replied.

On September 6, 2024, the Commission issued Order No. 36312, finding that Valiant is a public utility, issuing it a CPCN, and directing it to submit additional documents. Specifically, the Commission ordered Valiant to submit: (1) tariffs; (2) a copy of a Notice to Customers Regarding Regulation; (3) a full legal description of Valiant’s proposed service territory; and (4) a map showing the location of Valiant’s utility service.

On October 4, 2024, Valiant submitted a Compliance Filing that included copies of the documents described above.

On October 17, 2024, the Commission issued Order No. 36363, directing Valiant not to charge rates exceeding those in effect on September 6, 2024, without a prior Commission determination that the increase is justified. The Commission issued Order No. 36363 after learning that Valiant had sent a letter to customers indicating that it would increase rates. The Commission also directed Valiant to submit evidence showing that it had notified its customers that it would not increase rates without prior Commission authorization as a compliance filing. On October 17, 2024, Valiant submitted a letter, dated September 25, 2024, retracting the planned rate increase and indicating that no rate increase would occur without Commission approval.

Commission Staff (“Staff”) reviewed both the October 4, 2024, Compliance Filing and the letter filed October 17, 2024. At the Commission’s November 19, 2024, decision meeting, Staff recommended that the Commission accept the tariff, as submitted, and the letter dated September 25, 2024, as sufficient evidence that Valiant had notified its customers that it would not increase rates without Commission authorization. Regarding the legal description of Valiant’s service territory, Staff recommended that the Commission accept (1) the legal description of Valiant’s service territory contained in Attachment 1 to Staff’s November 19, 2024, decision memorandum; and (2) the map of Valiant’s service area attached to the same decision memorandum as Attachment 2. Staff further recommended that the Commission direct Valiant to submit a separate filing to amend its CPCN after the 12th and 13th Additions to “Golden Tee Estates” receive approval from Bonner County, Idaho.

COMMISSION FINDINGS AND DECISION

Having reviewed the record, the Company’s compliance submission, and Staff’s recommendation, we find that the Company has complied with the Commission’s order to submit a compliance filing described in Order No. 36312. We accept Valiant’s tariff, as filed. However, because the legal descriptions of the 12th and 13th Additions to Golden Tee Estates are still pending, they should not be included in Valiant’s certificated service territory. Accordingly, Valiant’s service territory described in its CPCN shall be consistent with that listed in Attachment 1 to Staff’s November 19, 2024, decision memorandum and depicted in the map contained in Attachment 2 to the same memorandum. Valiant shall submit a separate filing to amend its CPCN once Bonner County approves the 12th and 13th Additions to Golden Tee Estates.

We further find that Valiant has satisfied Order No. 36363 by providing evidence that it notified customers that it will not increase rates in excess of those in effect on September 6, 2024, without a prior Commission finding that the proposed increase is justified.

ORDER

IT IS HEREBY ORDERED that Valiant’s compliance filings, filed October 4, 2024, and October 17, 2024, are accepted.

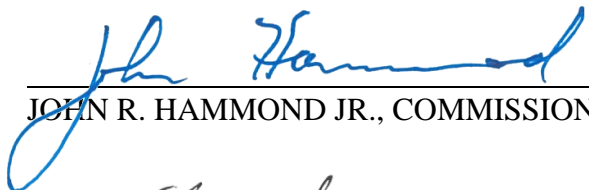
IT IS FURTHER ORDERED that Valiant’s service territory described in its CPCN shall be consistent with that listed in Attachment 1 to Staff’s November 19, 2024, decision memorandum and depicted in the map contained in Attachment 2 to the same memorandum.

IT IS FURTHER ORDERED that Valiant shall submit a separate filing to amend its CPCN once Bonner County approves the 12th and 13th Additions to Golden Tee Estates.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date upon this Order regarding any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* § 61-626.

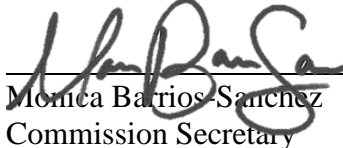
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this 20th day of December 2024.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Monica Barrios-Sanchez
Commission Secretary

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