

RECEIVED
2023 March 13, PM 4:26
IDAHO PUBLIC
UTILITIES COMMISSION

RILEY NEWTON
DEPUTY ATTORNEY GENERAL
IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0318
IDAHO BAR NO. 11202

Street Address for Express Mail:
11331 W CHINDEN BLVD, BLDG 8, SUITE 201-A
BOISE, ID 83714

Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF GEM STATE WATER)	
COMPANY LLC’S APPLICATION FOR AN)	CASE NO. GSW-W-22-01
ORDER AUTHORIZING AN INCREASE IN)	
ITS RATES AND CHARGES FOR WATER)	MOTION TO EXTEND
SERVICE IN THE STATE OF IDAHO)	DEADLINE TO FILE
)	CONFORMING TARIFFS AND
)	FOR PROCEDURAL RELIEF
)	

Idaho Public Utilities Commission Staff (“Staff”), and Gem State Water Company, LLC (“Company”, collectively with Staff, the “Parties”), hereby move the Idaho Public Utilities Commission (“Commission”) for an order to extend the deadline for the Company to file tariffs in compliance with Order No. 35692 and to grant procedural relief under IDAPA 31.01.01.056, and 256. This Motion is based on the following:

1. On July 21, 2022, the Company filed an Application requesting Commission authorization to increase its rates and charges for water service. Staff submitted comments to which the Company filed a reply; there are no other parties in the case.

MOTION TO EXTEND DEADLINE TO
FILE CONFORMING TARIFFS AND FOR
PROCEDURAL RELIEF

2. On March 1, 2023, the Commission issued Order No. 35692 approving an annual revenue requirement for the Company of \$789,004 and a corresponding rate design. Order No. 35692 at 16, Attachment 2, “Gem State Water, Approved Rates.” The Commission approved revenue requirement was based on adjustments and calculations summarized in Attachment 1 to Order No. 35692.
3. The Commission directed the Company to “submit tariffs in compliance with the rates and charges identified in this Order no later than fourteen (14) days from the service date of this Order”—that is, by March 15, 2023. Order No. 35692.
4. On March 13, 2023, the Company submitted a “Petition for Clarification or Reconsideration” (“Petition”) explaining that “calculations related to taxes were not adjusted” in Order No. 35692. Petition at 1. As a result of this “oversight,” the Company explains that the Commission’s approved revenue requirement was incorrectly calculated. *Id.* at 2.
5. To be consistent with the Commission’s other adjustments, the Company states that its taxes must “increase by approximately \$45,773.” *Id.* at 1. Accordingly, the Company requests that Order No. 35692 be “revised or clarified to reflect a revenue requirement of **\$834,870**” along with other corresponding adjustments to rate design, Income Taxes, Total Other Expenses and Net Income. *Id.* at 2.
6. Staff will analyze the Company’s claims and file an Answer in response.
7. The accuracy of the Company’s tariffs is subject to a Commission determination on the Company’s Petition. Therefore, the Parties believe that it would be economical and reasonable for the Company to file conforming tariffs after the Commission determines a final revenue requirement and associated adjustments.
8. Due to procedural constraints, however, a Commission order on the Company’s Petition will not issue until after the March 15, 2023, deadline. Thus, the Parties request the Commission extend the deadline for the Company to file conforming tariffs until after the Commission issues an order on the Company’s Petition.
9. Typically, the Commission must wait (14) days to act upon a motion. IDAPA 31.01.01.057, and 256. However, Commission Rule 256 allows for procedural relief on a motion in less than two (2) days’ notice provided that it puts forth facts supporting the motion’s request

for procedural relief and that representatives of all parties have received actual notice of the motion. The Parties believe that the requirements of Rule 256 have been met in this case. NOW, THEREFORE, the Parties respectfully request that the Commission issue an order:

1. Granting this Motion and extending the deadline for the Company to file conforming tariffs in this case to a date after the Commission issues an order on the Company's Petition.

Dated: March 13th, 2023

COMMISSION STAFF



Riley Newton
Deputy Attorney General
Attorney for Commission Staff

Dated: March 13, 2023

GEM STATE WATER COMPANY, LLC



By _____
Leslie Abrams-Rayner
General Manger

Eric W. Nelsen
Senior Regulatory Attorney
NW Natural
Representing Gem State Water Company, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 13th DAY OF MARCH 2023, SERVED THE FOREGOING *Motion to Extend Deadline to File Conforming Tariffs and Procedural Relief*, IN CASE NO. GSW-W-22-01, BY E-MAILING A COPY THEREOF TO THE FOLLOWING:

Jan Noriyuki
Commission Secretary
Idaho Public Utilities Commission
secretary@puc.idaho.gov

LESLIE ABRAMS-RAYNER
GENERAL MANAGER
GEM STATE WATER CO
PO BOX 3388
COEUR D'ALENE ID 83816
leslie@gemstate-water.com

ERIC W NELSEN
ADAM RUE
NW NATURAL
250 SW TAYLOR ST
PORTLAND OR 97204
eric.nelsen@nwnatural.com
adam.rue@nwnatural.com



Keri J. Hawker
Legal Assistant to Riley Newton