

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: JOHN R. HAMMOND JR.
DEPUTY ATTORNEY GENERAL**

DATE: APRIL 24, 2020

SUBJECT: 2011 ISLAND PARK WATER INVESTIGATION; CASE NO. ISL-W-11-01.

In 2010 and 2011, Island Park Water Company customers complained that the Company was violating its tariff by charging them \$280 per lot and not the Commission-approved \$280 per customer (or connection). Commission Staff substantiated the customers' claims. At the same time, Company management was being investigated for, and the Commission ordered the Company to: (1) cease all billing practices that conflict with the tariff; (2) refrain from terminating service to customers who did not pay annual bills that conflict with the tariff; (3) send corrected invoices to all customers who were billed incorrectly and simultaneously provide copies to the Commission; (4) repay customers for any amounts collected based on a rate exceeding the rate allowed by the tariff; (5) send a copy of its current customer list to the Commission; and (6) provide Staff with a specific date and time that the Commission's auditors may visit the Company. *See* Order No. 32268.

After the order issued, Staff conducted an on-site audit of the Company and then worked with it toward compliance. Staff believes, except for item no. 5 (sending in a current customer list), that by 2012 the Company had complied with the Order's directives by addressing the underlying complaints and concerns. No further activity has taken place in the case. Most of the Staff who were involved in the case have retired.

STAFF RECOMMENDATION

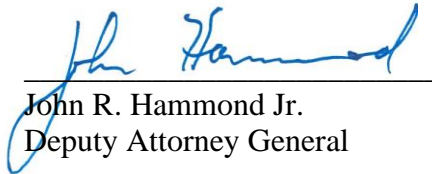
Since the immediate concerns that led to the order arose about 10 years ago, the Company addressed those underlying concerns long ago, and most of the Staff involved in the case

have retired, Staff recommends the Commission close this case. Staff notified the Company of Staff's recommendation. The Company has not responded to Staff's correspondence.

Although Staff believes the Commission should close Case No. ISL-W-11-01, Staff is currently auditing the Company to update Staff's knowledge about the Company's operations. An Audit Request has been sent to the Company including a request for a current customer list.

COMMISSION DECISION

Does the Commission wish to close this case?



John R. Hammond Jr.
Deputy Attorney General

I:\Legal\WATER\ISL-W-11-01\Memos\ISLW1101_memo_final_jrh.docx