

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF ISLAND PARK ) CASE NO. ISL-W-23-01**  
**WATER COMPANY’S FAILURE TO )**  
**COMPLY WITH IDAHO PUBLIC UTILITIES ) NOTICE OF CUSTOMER**  
**COMMISSION REPORTING AND FISCAL ) HEARING**  
**REQUIREMENTS )**  
**) ORDER VACATING SHOW**  
**) CAUSE HEARING**  
**)**  
**) AMENDED NOTICE OF**  
**) HEARING AND**  
**) ORDER TO SHOW CAUSE**  
**)**  
**) ORDER NO. 35707**  
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The Commission ordered Island Park Water Company (“Company” or “Island Park”) to appear at a Show Cause Hearing on March 13, 2023, to address the Company’s failure to comply with Idaho Public Utilities Commission Reporting and Fiscal Requirements, and why the Company should not be subject to penalties under *Idaho Code* §§ 61-706 and 61-707, and possible additional penalties under *Idaho Code* § 61-709 for further violations of Commission authorities. Order No. 35682.

On March 6, 2023, the Company filed a motion to continue the show cause hearing or allow the hearing by Zoom or Webex (“Motion”). The Company’s Motion formally requested accommodations for the Company’s owner, Dorothy McCarty, through the Americans with Disabilities Act (“ADA”). Pursuant to *Idaho Code* § 74-204, the Commission scheduled a special decision meeting for March 9, 2023, to discuss the Company’s Motion on an expedited basis.

At the Commission’s March 9, 2023, Decision Meeting, the Commission agreed to hold a customer hearing for Island Park’s customers on March 29, 2023, in Island Park’s service territory; and (2) vacate the March 13, 2023, Hearing and Order to Show Cause, and reset it for March 29, 2023, also in Island Park’s service territory.

The Commission now issues this Notice of Customer Hearing, Order vacating the March 13, 2023 Show Cause Hearing, and an Amended Notice of Hearing and Order to Show Cause.

**NOTICE OF CUSTOMER HEARING**

YOU ARE HEREBY NOTIFIED that the Commission will conduct a customer hearing in this matter on **WEDNESDAY, MARCH 29, 2023, starting at 3:00 pm. (local time) and ending at 6:00 p.m. (local time), or after all customer testimony has been taken, whichever comes first.** The customer hearing will be held in the **Island Park Emergency Services Building, 4378 County Circle, Island Park, Idaho 83429.**

YOU ARE FURTHER NOTIFIED that persons attending the customer hearing in-person will have an opportunity to provide testimony. Persons may also listen to the live testimony and proceedings at the hearing by calling **1-415-655-0001** and entering code **2456 167 2001 (spaces omitted) when prompted** or visit **idahogov.webex.com, and enter meeting number 2456 167 2001 (spaces omitted).** However, persons will not be able to provide testimony by phone.

YOU ARE FURTHER NOTIFIED that all hearings and prehearing conferences in this matter will be held in facilities meeting the accessibility requirements of the ADA. Persons needing the help of a sign language interpreter or other assistance to participate in or to understand testimony and argument 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  
PO BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0338 (Telephone)  
(208) 334-3762 (FAX)  
[secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

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.](#) A copy of the rules is available for review at the Commission’s offices during regular business hours, and on the Commission’s website at [www.puc.idaho.gov](http://www.puc.idaho.gov).

**AMENDED NOTICE OF HEARING AND ORDER TO SHOW CAUSE**

YOU ARE FURTHER NOTIFIED that the Commission will hold a hearing in this matter on **WEDNESDAY MARCH 29, 2023, at 11:00 A.M. (local time) in the Island Park Emergency Services Building, 4378 County Circle, Island Park, Idaho 83429.** The purpose of

this hearing is to allow the Company to explain why the Commission should not impose penalties as permitted by Idaho law. Those interested in listening only can call **1-415-655-0001 and enter meeting number 2458 419 2917 (spaces omitted) when prompted** or visit **idahogov.webex.com, and enter meeting number 2458 419 2917 (spaces omitted).**

### **ORDER**

IT IS HEREBY ORDERED that the Show Cause Hearing scheduled for March 13, 2023, in Order No. 35682 is hereby vacated and rescheduled as discussed in this Order.

IT IS FURTHER ORDERED that the Commission will conduct a customer hearing in this matter on **WEDNESDAY, MARCH 29, 2023, starting at 3:00 p.m. (local time) and ending at 6:00 p.m. (local time), or after all customer testimony has been taken, whichever comes first,** in the **Island Park Emergency Services Building at 4378 County Circle, Island Park, Idaho 83429.**

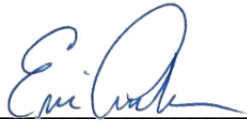
IT IS FURTHER ORDERED that Island Park shall appear before the Commission on **WEDNESDAY, MARCH 29, 2023, at 11:00 A.M** (local time) in the **Island Park Emergency Services Building, 4378 County Circle Island Park, Idaho 83429** to show cause why the Commission should not summarily impose all possible penalties. At this hearing Island Park shall appear and be prepared to explain why it should not be required to:

- 1) Immediately provide the Commission with adequate responses to its Audit Request Questions 1, 3, 4, 6, 7, 9, and 10;
- 2) Immediately provide a customer complaint log;
- 3) Immediately provide Company billing information, including actual customer bills;
- 4) Immediately cease and desist from charging customers in excess of its approved tariff and the Company shall submit documentation of refunds for customers who were overcharged;
- 5) Immediately provide its current written protocol or notification plan that describes the protocol for scheduled, emergency and temporary service interruptions and a written plan for customer notifications and status updates;
- 6) Immediately meet its obligation to provide safe and reliable service to its customers, and resolve the interruptions in water service and water quality concerns through appropriate testing and maintenance of its system;

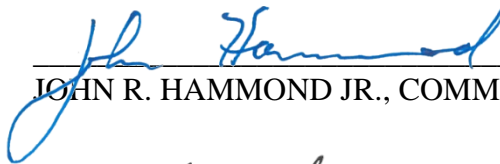
- 7) Immediately refrain from retaliating against customers;
- 8) Pay up to a \$2,000 penalty per day, and all accrued interest, under *Idaho Code* §§ 61-706 and 61-707, for each day that each response was late in breach of a statutory duty; and
- 9) Face any additional penalties under *Idaho Code* § 61-709 against the Company and its employees or officers, for untimely and incomplete responses to the Audit Request that were late in breach of its statutory duty.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34781, issued September 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.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 14<sup>th</sup> day of March 2023.



ERIC ANDERSON, PRESIDENT

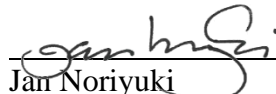


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki  
Commission Secretary

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