

## DECISION MEMORANDUM

**TO:** COMMISSIONER ANDERSON  
COMMISSIONER HAMMOND  
COMMISSIONER LODGE  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** CLAIRE SHARP  
DEPUTY ATTORNEY GENERAL

**DATE:** JUNE 6, 2023

**SUBJECT:** IN THE MATTER OF THE INVESTIGATION OF ISLAND PARK WATER COMPANY'S VIOLATIONS OF THE IDAHO PUBLIC UTILITIES LAW; CASE NO. ISL-W-23-02.

On June 1, 2023, Staff of the Idaho Public Utilities Commission ("Commission") requested an investigation of Island Park Water Company ("Island Park" or "Company") for violations of the Idaho Public Utilities Law, Title 61, *Idaho Code*. Island Park operates a "Water system" as a "Water corporation" as defined by *Idaho Code* §§ 61-124 and 61-125 and is a public utility subject to the jurisdiction of the Commission under *Idaho Code* § 61-129. The Company operates under Certificate of Public Convenience and Necessity No. 317. Island Park's service area comprises seven separate water systems located in Fremont County, Idaho.

### STAFF RECOMMENDATION

Staff recommends the Commission open an immediate investigation of the Company for violations of Idaho Public Utilities Law, take appropriate measures to enforce the provisions of the Idaho Public Utilities Law, and decide the following:

1. Whether the Company should be ordered to appear at a Hearing and Order to Show Cause for violating the Idaho Public Utilities Laws;
2. Whether the Company is subject to penalties under *Idaho Code* §§ 61-706 and 61-707,
3. Whether the Company's employees and officers are subject to additional penalties under *Idaho Code* § 61-709;

4. Whether the Company's Certificate of Public Convenience and Necessity ("CPCN") should be revoked;
5. Whether imposing a receivership would serve the public interest; and
6. Whether other measures are necessary to protect public health and safety.

### **COMMISSION DECISION**

Does the Commission wish to open an immediate investigation of the Company for violations of Idaho Public Utilities Law, take appropriate measures to enforce the provisions of the Idaho Public Utilities Law, and decide the following:

1. Whether the Company should be ordered to appear at a Hearing and Order to Show Cause for violating the Idaho Public Utilities Laws;
2. Whether the Company is subject to penalties under *Idaho Code* §§ 61-706 and 61-707,
3. Whether the Company's employees and officers are subject to additional penalties under *Idaho Code* § 61-709;
4. Whether the Company's Certificate of Public Convenience and Necessity ("CPCN") should be revoked;
5. Whether imposing a receivership would serve the public interest; and
6. Whether other measures are necessary to protect public health and safety.
7. Anything else?



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Claire Sharp  
Deputy Attorney General