

DECISION MEMORANDUM

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

**FROM: MICHAEL DUVAL
DEPUTY ATTORNEY GENERAL**

DATE: JANUARY 30, 2024

**SUBJECT: IN THE MATTER OF THE PROPOSED CANCELLATION OF PONDEROSA
TERRACE ESTATES WATER SYSTEM, INC.'S CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY; CASE NO. PTE-W-24-01.**

On January 18, 2024, an Application (“Application”) was submitted to the Commission which stated that Ponderosa Terrace Estates Water System, Inc. (“PTE”) was sold to Farko Water System Inc. (“Farko”)¹ on October 1, 2016. While the Application’s heading requested a transfer of PTE’s Certificate of Public Convenience and Necessity (“CPCN”), the body of the Application clearly requested that PTE’s CPCN be cancelled. Rather than ask that Farko be issued a new CPCN, the Application requested that the Commission recognize that Farko is operating the system as a not-for-profit organization; supplemental information related to this request was attached to the Application.

STAFF RECOMMENDATION

Based on Staff’s review of the Application, it appears that there are multiple potential stakeholders, including the customers currently served by the water system, that may have an interest in intervening in this case. Therefore, Staff recommends the Commission issue a Notice of Application and a Notice of Intervention Deadline establishing a 21-day intervention period.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and a Notice of Intervention Deadline establishing a 21-day intervention period?



Michael Duval
Deputy Attorney General

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¹ While the Application indicates that the word “Company” is used in both PTE’s and Farko’s company names, according to the Idaho Secretary of State, both companies actually use the word “System” instead of “Company” in their respective titles.