

DECISION MEMORANDUM

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

FROM: MICHAEL DUVAL
DEPUTY ATTORNEY GENERAL

DATE: APRIL 30, 2024

SUBJECT: IN THE MATTER OF FARKO WATER SYSTEM'S PROPOSED CANCELLATION OF PONDEROSA TERRACE ESTATES WATER SYSTEM'S CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 393; 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.

On February 16, 2024, the Commission issued a Notice of Application and Notice of Intervention Deadline. Order No. 36093. No Parties intervened.

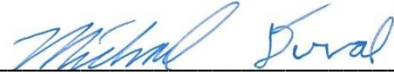
STAFF RECOMMENDATION

Staff recommended the Commission issue a Notice of Modified Procedure with public comments due by June 12, 2024, and the Company reply due by June 20, 2024.

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.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Modified Procedure with public comments due by June 12, 2024, and the Company reply due by June 20, 2024?



Michael Duval
Deputy Attorney General

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