

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>INVESTIGATION INTO RED PHEASANT</b>	)	<b>CASE NO. RED-W-24-01</b>
<b>HOLDINGS, LLC—OWNER OF A WATER</b>	)	
<b>SUPPLY AND DISTRIBUTION SYSTEM</b>	)	<b>NOTICE OF INVESTIGATION</b>
	)	
	)	<b>ORDER NO. 36392</b>
	)	

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Red Pheasant Holdings, LLC, (“Company”) is a private water utility located in Nez Perce County, Idaho near Lewiston. The Company provides water to 173 connections. The Company is the parent company of Red Pheasant Water Company, LLC, that invoices and collects payments from customers. The Company is not currently regulated by the Idaho Public Utilities Commission (“Commission”) and does not possess a Certificate of Public Convenience and Necessity (“CPCN”).

At the Commission’s November 6, 2024, Decision Meeting, Commission Staff (“Staff”) presented a decision memorandum recommending the Commission open a docket to formally investigate whether the Company is operating as a public utility that should be regulated by the Commission.

We now issue this Notice of Investigation directing Staff to investigate the Company and report back to the Commission.

**COMMISSION FINDINGS AND DECISION**

Considering the uncertainty surrounding the Company’s regulatory status, the Commission finds it reasonable to investigate the Company pursuant to its statutory authority and jurisdiction under the Idaho Public Utilities Law, specifically *Idaho Code* § 61-501 *et seq.* The purpose of this investigation is to determine whether the Company should be a regulated utility under the Idaho Code. Staff’s investigation should include whether the Company is a public utility that should be directed to apply for a CPCN, and what further steps, if any, the Company should take to comply with Idaho law.

**ORDER**

IT IS HEREBY ORDERED that Staff shall investigate the status of the Company, and Staff shall file written comments making recommendations to the Commission for any further action that may be necessary. Staff may issue production requests, written interrogatories or other

forms of discovery and pursue its statutory right to examine and audit the records of the Company as they relate to the sale of water.

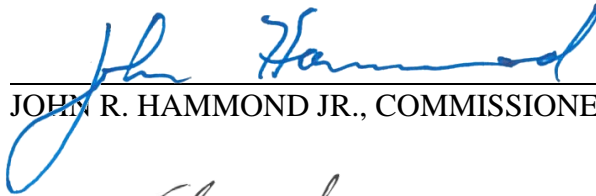
IT IS FURTHER ORDERED that the Company shall cooperate with Staff's investigation.

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, 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 20<sup>th</sup> day of November 2024.



ERIC ANDERSON, PRESIDENT

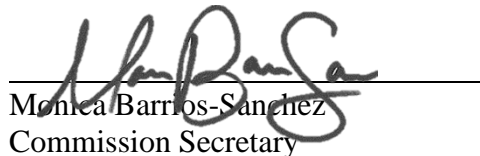


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez  
Commission Secretary

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