

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ROCKY MOUNTAIN)	CASE NO. ROC-W-24-01
UTILITY COMPANY, INC.’S APPLICATION)	
TO AMEND ITS CERTIFICATE OF PUBLIC)	ORDER NO. 36380
CONVENIENCE AND NECESSITY)	
)	

On August 23, 2024, Rocky Mountain Utility Co., LLC d.b.a. Rocky Mountain Utilities Co., Inc.¹ (“Company”) applied for approval to amend its Certificate of Public Convenience and Necessity (“CPCN”) which would allow it to expand its service territory to include a newly created subdivision (“Application”). The Company has submitted several attachments relevant to its request.

On October 10, 2024, the Commission issued a Notice of Application and Notice of Modified Procedure establishing comment dates. Order No. 36346.

At the Commission’s October 29, 2024, Decision Meeting, Commission Staff (“Staff”) recommended that the comment deadlines be vacated, and the Company be directed to file an amended application within 30 days—at which point a new procedural schedule would be set.

THE APPLICATION

The Company requested authority to amend its CPCN pursuant to *Idaho Code* § 61-526 to provide water service to a new subdivision. The Company provided a map of the subdivision it desires to expand into and noted that it was not being serviced by another utility. *See* Application Attachment A.

The Company also added a new well and related infrastructure and provided Attachments A through G outlining the Company’s proposed service territory and more information on the Company’s recent building projects.

STAFF RECOMMENDATION

Staff stated that, apart from the subdivision the Company seeks to expand into as explained in its Application, the Company is already serving a separate area not covered by its CPCN. Staff noted that it asked the Company to submit an amended application to account for this additional service territory in its requested relief. However, the Company failed to submit such a filing.

¹ The Idaho Secretary of State’s website lists the Company’s official name as “Rocky Mountain Utility Company, Inc.” The Company’s Application states that this is the name which the Company is doing business under.

Accordingly, Staff asked the Commission to vacate the comment deadlines established in Order No. 36346, and that the Company be granted 30 days to submit an amended application which contains: (1) a description of the service territory that the Company is currently authorized to serve; (2) the area which it is currently serving without authorization; and (3) the subdivision that the Company has requested to serve.

Staff also stated it would recommend a new procedural schedule once the Company files an amended application.

COMMISSION FINDINGS AND DECISION

No utility can serve an area not expressly covered by its CPCN. *Idaho Code* § 61-526; IDAPA 31.01.01.111-112. Accordingly, the Commission has a statutory duty to ensure that public utilities are only serving those areas that such utilities are authorized to serve. The Commission will not consider the Company's requested CPCN amendment until it has filed a complete and accurate application. The Commission here orders the Company to submit an amended application, including a legal description of the entire service area it desires to serve, including the area currently being served that is not covered by its CPCN, within 30 days. The Company should coordinate with Staff as necessary to ensure compliance. The comment deadlines established in Order No. 36346 are vacated until the Company has complied with this Order at which point a new procedural schedule shall be proposed.

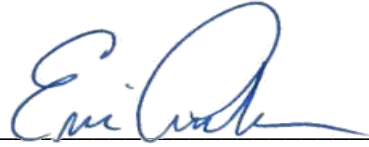
ORDER

IT IS HEREBY ORDERED that, within 30 days of the issuance of this Order, the Company must file an amended application that accurately describes the entire service territory that the Company plans to serve.

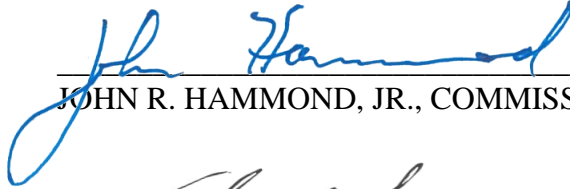
IT IS FURTHER ORDERED that the comment deadlines established in Order No. 36346 are vacated.

THIS IS AN INTERLOCUTORY ORDER rather than a final and appealable Order of the Commission. While the Commission may review, stay, or clarify an interlocutory order, the period of reconsideration will not begin until the Final Order is issued.

DONE by order of the Idaho Public Utilities Commission at Boise, Idaho this 4th day of November 2024.



ERIC ANDERSON, PRESIDENT

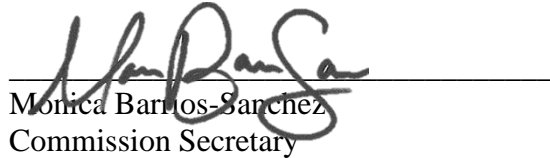


JOHN R. HAMMOND, JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barros-Sanchez
Commission Secretary

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