

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: DAYN HARDIE
DEPUTY ATTORNEY GENERAL**

DATE: OCTOBER 8, 2021

**SUBJECT: IN THE MATTER OF THE JOINT APPLICATION OF SUEZ WATER
IDAHO, INC., TO ACQUIRE EAGLE WATER COMPANY; CASE NOS.
SUZ-W-18-02 AND EAG-W-18-01.**

On June 8, 2021, Eagle Water Company, Inc. (“Eagle Water”) and SUEZ Water Idaho Inc. (“SUEZ”) filed a joint motion to recommence proceedings (“Motion”) in this docket. The same day, Eagle Water and SUEZ filed an amendment to its joint application (“Amended Joint Application”) requesting approval of the acquisition of Eagle Water assets by SUEZ.

City of Boise City, Eagle Water Customer Group, City of Eagle, Citizens Allied for Integrity and Accountability, Community Action Partnership Association of Idaho (“CAPAI”) continued their intervention in the case. On October 4, 2021, CAPAI filed a motion to withdraw.

On July 14, 2021, the Commission issued a Notice of Amended Application granting SUEZ and Eagle Water’s Motion. Order No. 35104.

On September 9, 2021, in Order No. 35160, the Commission set the following schedule for processing this case:

Public Workshop	October 5, 2021
Staff/Intervenor Comment Deadline	October 13, 2021
Staff/Intervenor Reply Comment Deadline	October 20, 2021
Companies’ Reply Deadline	October 27, 2021
Customer Hearing	November 1, 2021
Customer Comment Deadline	November 8, 2021

On September 14, 2021, the parties entered settlement negotiations seeking to resolve the issues in this case. The parties met for three settlement conferences and one accounting workshop.

On October 8, 2021, a Stipulation and Settlement (“Settlement”) and a joint motion for approval of the proposed settlement were filed with the Commission to memorialize the agreement. Suez, Eagle Water, and Staff were the signatories to the Settlement. The parties have agreed that the procedural schedule established by Order No. 35160 should be modified to allow the public and parties an opportunity to comment on the Settlement and for the Companies’ reply.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Proposed Settlement and amend the procedural schedule. Because of the proposed Settlement, the Staff/Intervenor reply comment deadline is no longer necessary and should be vacated. Staff also recommends the Commission amend the comment deadlines to allow Staff and intervenors additional time to review the Settlement and file written comments regarding the proposed Settlement and the Companies additional time for reply.

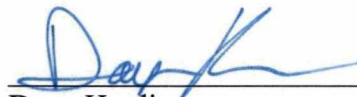
Having consulted with the Parties, Staff recommends the following amended schedule:

Customer Hearing	November 1, 2021
Staff/Intervenor Comment Deadline	October 27, 2021
Customer Comment Deadline	November 8, 2021
Companies’ Reply Deadline	November 8, 2021

COMMISSION DECISION

Does the Commission wish to:

1. Issue a Notice of Proposed Settlement?
2. Amend the procedural schedule as described above, providing notice as appropriate?
3. Anything else?



Dayn Hardie
Deputy Attorney General