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IDAHO PUBLIC
UTILITIES COMMISSION

Attorney for Intervenors Gannon, et al.

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF SUEZ WATER)	Case No. SUZ-W-20-02
IDAHO INC'S APPLICATION FOR)	
AUTHORITY TO INCREASE ITS)	MOTION FOR LEAVE TO WITHDRAW
RATES AND CHARGES FOR WATER)	
SERVICE IN IDAHO)	
_____)	

Intervenors Gannon, Montero, Graziano and Philip ("Bench Intervenors"), by and through their attorney of record Marty Durand, hereby move the Commission for leave to withdraw as parties in the above-entitled action. This motion is made pursuant to Idaho PUC Rule 45.

Bench Intervenors sought greater transparency from Suez and intervened to obtain a plan for resolution of brown water quality issues on the Boise Bench and to oppose the rate increase so long as water quality is substandard compared to other ratepayers. Their concerns regarding a water quality plan have been compromised by a Memorandum of Understanding (attached hereto as Exhibit 501) wherein Staff has agreed to investigate and evaluate several aspects of Bench water issues and work with intervenors to ensure timely progress particularly with regard to the Taggart Street Well rehabilitation. Other transparency concerns were addressed in the Stipulation and Settlement (p. 12, ¶ 9). With regard to the rate increase, Bench Intervenors have

1. Motion for Leave to Withdraw

elected to withdraw and to present public testimony at the public hearing in this case rather than enter into an agreement with other parties.

Intervenors reserve the right to apply for intervenor funding pursuant to Idaho PUC Rule 161.

Bench Intervenors therefore ask the Commission for leave to withdraw as parties.

DATED this 22nd day of March, 2021.

/s/ Marty Durand
MARTY DURAND

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of March, 2021, I served the foregoing documents on all parties as follows:

Jan Noriyuki, PUC Secretary	secretary@puc.idaho.gov
Michael C. Creamer, Attorney for Suez	mcc@givenspursley.com
Preston Carter, Attorney for Suez	prestoncarter@givenspursley.com
David Njuguna, Suez Regulatory Manager	david.njuguna@suez.com
Dayn Hardie, DAG	dayn.hardie@puc.idaho.gov
Matt Hunter, DAG	matt.hunter@puc.idaho.gov
Lorna K Jorgenson, Attorney for Ada County	civilpafiles@adaweb.net
John C Cortabitarte, Attorney for Ada County	civilpafiles@adaweb.net
Scott Muir, Attorney for City of Boise	boisecityattorney@cityofboise.org
Mary Grant, City of Boise	boisecityattorney@cityofboise.org
Norman Semanko, Attorney for Customer Groups	nsemanko@parsonsbehle.com
Brady Purdy, Attorney for CAPAI	bmpurdy@hotmail.com
Ken Nagy, Attorney for IFHC	knagy@lewiston.com
Zoe Ann Olson, Attorney for IHFC	zolson@ihfcidaho.org
Jim Swier, Attorney for Micron	jswier@micron.com
Greg Harwood, Attorney for Micron	gbharwood@micron.com
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Thorvald Nelson, Attorney for Micron	tnelson@hollandhart.com

By /s/ Marty Durand
MARTY DURAND

STAFF AND BENCH CUSTOMERS' MEMORANDUM OF UNDERSTANDING

John Gannon, Stephanie Montero, and Karoline Philip ("Bench Customers") intervened in the Idaho Public Utilities Commission ("PUC") Case No. SUZ-W-20-02 filed by Suez Water Idaho Inc. ("Suez"). The Bench Customers elected to withdraw their Petition to Intervene in exchange for this Memorandum of Understanding ("MOU") between Staff of the Idaho Public Utilities Commission ("Staff") and the Bench Customers. This MOU is not a contract, but represents Staff's intent to work in good faith with the Bench Customers and Suez to address concerns about water quality on the Boise Bench.

BACKGROUND

Settlement discussions were held with all parties—including the Bench Customers and Commission Staff ("Staff")—in Case No. SUZ-W-20-02 on February 11, 25 and March 3 and 8, 2021. While settlement discussions and negotiations are confidential, the normal responsibilities of Commission Staff, and any agreements resulting from those discussions are not.

During discovery in Case No. SUZ-W-20-02, production requests and responses included numerous questions and answers regarding water quality on the Boise Bench.

Staff has authority to investigate water quality complaints, utility customer service, and investments in utility operations and maintenance.

As a result of Suez town hall meetings, production requests and responses Terri Carlock, Administrator of the PUC Staff, set up a Staff task force and directed Staff members to further investigate water quality concerns and actions taken by Suez to address those concerns.

The Bench Customers elected to withdraw from Case No. SUZ-W-20-02 because Staff will continue to investigate the water quality issues on the Boise Bench. This MOU sets forth the parties' understanding.

MEMORANDUM OF UNDERSTANDING

1. **Areas Covered:** Staff and Bench Customers met on March 12, 2021 to discuss Staff's intent to track, investigate, monitor, evaluate, and provide a monthly review of the progress and comments that Suez has made toward improving the quality of drinking water on the Boise Bench. This includes the area between Vista Avenue and Roosevelt Street and the area West of the Morris Hill Cemetery including but not limited to Albion Street South to the Rim Street; areas in the vicinity of Broadway Avenue in which there are complaints; and such other

BENCH CUSTOMERS AND STAFF'S MEMORANDUM OF UNDERSTANDING

**Exhibit
501**

areas in which significant Boise Bench complaints regarding the quality of drinking water are brought to the attention of Commission Staff.

2. **Staff Task Force:** The Staff Task Force ("Task Force") plans to continue Staff's investigation on water quality issues for Suez customers. With the revenue requirement settlement completed between Suez, Staff, and many Intervenors, it will allow this Task Force to remain a priority for future staff involvement.

3. **Staff Task Force Evaluation to Include:**

- A. An ongoing review of Suez's plans to address water quality, including changes to these plans, acceleration or delays in the timing of improvements, customer communications, and investments made.
- B. A review and consideration of remedies for service lines which abruptly end and result in the accumulation of rust and debris for customers served by those lines.
- C. A review and consideration of remedies for aging pipes, corrective actions, expected lifespan, and the timeline for their replacement.
- D. A review of flushing plans, the effectiveness of flushing events, and any changes to the ongoing flushing plan. Request an analysis of the effect that flushing twice a year has on appliances, water heaters, filter systems and other personal property in the home or business.

4. **Taggart Street Well:** Staff plans to monitor, track, and investigate progress on the Taggart Street Well ("Taggart Well") rehabilitation to ensure the project is implemented in accordance with the plans and designs approved by the Idaho Department of Environmental Quality ("DEQ"). Staff recognizes that Boise City approved the construction in September 2020 and DEQ approved the plans and designs on March 2, 2021. Staff plans to monitor Suez's compliance with a timeline that provides for work to commence in mid-September 2021¹ and be

¹ The Bench Customers understand that well rehabilitation cannot happen now because of the upcoming high-water usage demands which the Taggart Well must service.

completed by December 2021.² Staff acknowledges the Bench Customers' contention and evidence that repair of the Taggart Well has been ongoing and, to date, is unresolved.

5. Report to Bench Customers: Staff plans to provide a Task Force summary report each month beginning April 15, 2021, on the tracking, investigation, and evaluations represented above in this MOU to the Bench Customers. Staff would provide this information by emailing to the following addresses:

johnngannon200@gmail.com

skiingupastorm@gmail.com

StephanieMontero@protonmail.com

Staff's summary report and other public information is available upon request to the Bench Customers and the public, unless the record is excepted from disclosure under the Idaho Public Records Act or Rules of Procedure of the Idaho Public Utilities Commission (IDAPA 31.01.01.000 through .356).

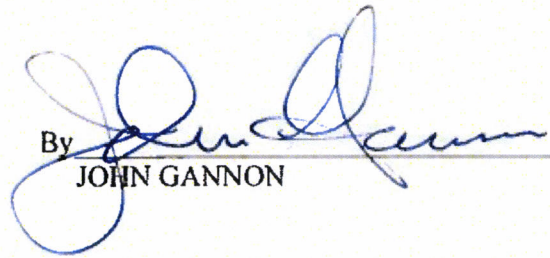
6. Customer Complaints: Suez Customers should contact Suez (208) 362-7304 with any complaints. If the results are unsatisfactory, customers may complain to the PUC by calling (208) 334-0369 or going to <https://puc.idaho.gov/Form/ConsumerAssistance>. Staff intends to track those contacts and the data provided by Suez customer complaints, and any information and data provided at the public hearing in the Suez rate case.

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This MOU and its contents may be made public. Each signatory below acknowledges that they are authorized to sign this MOU on behalf of themselves individually or the Staff of the PUC.

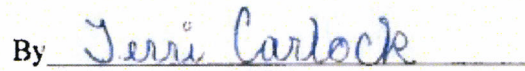
Dated this 15th day of March, 2021.

² Unless Suez can show "good cause" for deviation from this timeline.

By 
JOHN GANNON

By 
STEPHANIE MONTERO

By 
KAROLINE PHILP

By 
TERRI CARLOCK
Utilities Division Administrator
Idaho Public Utilities Commission