

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF SUEZ WATER IDAHO) CASE NO. SUZ-W-20-02
INC.'S APPLICATION FOR AUTHORITY)
TO INCREASE ITS RATES AND CHARGES)
FOR WATER SERVICE IN IDAHO) ORDER NO. 34962

On September 30, 2020, SUEZ Water Idaho, Inc. (“Company”) applied to raise the rates it charges for water service. The Company proposed an October 31, 2020 effective date. Micron Technology, Boise City, Ada County, Intermountain Fair Housing Council, SUEZ Water Customer Group, Community Action Partnership Association of Idaho, and Gannon et al. (collectively the “Intervenors”) intervened in the case.

In Order No. 34819, the Commission suspended the Company’s proposed effective date for 5 months and 30 days under *Idaho Code* § 61-622(4). The Commission then adopted the parties’ proposed case schedule at its February 23, 2021 decision meeting. *See* Order No. 34942. On February 26, 2021, three days after the Commission adopted the parties’ proposed schedule, Boise City filed a Motion for Extension for Time signed by all Intervenors, requesting that the Commission suspend the proposed effective date for another 60 days and extend all scheduled deadlines 45 days.¹ The Motion was filed under Rule 256.03, IDAPA 31.01.01.256.03. The Motion cited several reasons the Intervenors believed there was good cause for an extension and asked the Commission to consider the Motion on fewer than 14 days’ notice. These included: (1) multiple intervenors with different viewpoints; (2) ongoing discovery; (3) multiple intervenors who are unfamiliar with the Commission’s procedures; (4) logistics of the pandemic; (5) the need for expert review; and (6) one intervenor’s executive director unexpectedly leaving.

On March 5, 2021, the Company filed an Answer in Opposition to the Intervenor’s Motion (“Answer”). Among other arguments, the Company claimed that the Intervenors had not demonstrated good cause to extend the schedule and that extending the schedule as proposed in the Motion would prejudice the Company.

¹ The Intervenors cited *Idaho Code* § 61-622(4), which discusses the maximum period of suspension available for proposed new rates. *Idaho Code* § 61-622(4) allows the Commission to suspend the proposed effective date for 5 months plus 30 days. Additionally, the statute allows the Commission “after a showing of *good cause* on the record” to suspend the proposed effective date for an additional 60 days. (Emphasis added).

COMMISSION DECISION

Having reviewed the Motion and the Company's response, the Commission denies the Motion. *Idaho Code* § 61-622(4) allows the Commission to suspend the effective date for new rates an additional 60 days for "good cause on the record." We find the Intervenors have failed to establish good cause. The reasons stated in the Motion are not compelling. Rate cases and other large cases typically can attract many intervenors. Nor is it unusual for parties to have diverse interest within a single case.

The Intervenors note that discovery is ongoing. Such is the case throughout any rate case proceeding. All Intervenors were granted party status by December 4, 2020 and could have propounded and reviewed discovery ever since. The Intervenors have enjoyed the typical rate case pace and schedule, which inevitably includes multiple rounds of discovery, settlement discussions, proposals, and counterproposals. Also, the time allotted for the processing of this case was clear from the outset. In Order No. 34819, we suspended the Company's proposed effective date of October 31, 2020 for 30 days plus five months consistent with *Idaho Code* § 61-622(4).

The Intervenors assert the case schedule should be extended because several Intervenors have never participated in a case before this Commission and are unfamiliar with the Commission's processes and rules. We find, however, that lack of familiarity with the Commission's processes and rules does not warrant granting an additional 60 days with almost two months left in the initial period of suspension (when the Motion was filed). *See* Order No. 34819. Moreover, the Intervenors agreed to a case schedule that this Commission considered and approved less than a week before they filed for an extension. The Intervenors' have failed to establish good cause for the Commission to further suspend the proposed effective date. If circumstances arise that amount to good cause, we remain open to such an argument at a later date.

ORDER

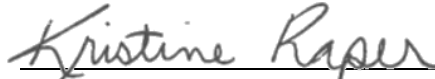
IT IS HEREBY ORDERED that the Intervenors' Motion for Extension of Time is denied. The schedule established by Order No. 34942 remains the schedule for processing this case.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 16th day of March 2021.



PAUL KJELLANDER, PRESIDENT

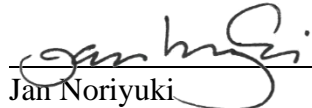


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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