

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF SUEZ WATER** ) **CASE NO. SUZ-W-21-02**  
**IDAHO’S APPLICATION FOR** )  
**AMENDMENT OF ITS CERTIFICATE OF** ) **NOTICE OF APPLICATION**  
**PUBLIC CONVENIENCE AND NECESSITY** )  
 ) **NOTICE OF**  
 ) **INTERVENTION DEADLINE**  
 )  
 ) **ORDER NO. 35013**

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On April 2, 2021, SUEZ Water Idaho Inc. (“Company”) applied to amend its certificated service territory to remove an approximate 520-acre area in unincorporated Ada County.

The Commission now provides notice of the Application and sets an intervention deadline for persons who wish to intervene as parties.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that the 520-acre area was added to the Company’s certificated service area in 2007 in anticipation of a residential subdivision described as the Trailhead Community being built on it. *See* Case No. UWI-W-06-04, Order No. 30367; Application, Attachments A and B (legal description and map of subject area). The Trailhead Community was never developed, however. The Company asserts the “entire area is undeveloped and unserved, and [the Company] has not received any formal request for extension of service from, or committed to serve, any property owner in the area.” Application at 3. The Company also states that it is “not aware of any development applications pending before Ada County or the City of Eagle [(“City”)] affecting this area.” *Id.*

YOU ARE FURTHER NOTIFIED that the Company and the City recently signed a Water Management Agreement (“WMA”), effective February 9, 2021. The Company agreed in the WMA to file this Application with the Commission, seeking to remove the 520-acre area from the Company’s certificated service area. The City, the Company asserts, has represented that it can and will serve customers in the 520-acre area if it is removed from the Company’s certificated service area. However, the City cannot serve the 520-acre area until it is removed from the Company’s certificated service area because the City agreed in a 2003 franchise agreement not to provide water service in the Company’s certificated service area.

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YOU ARE FURTHER NOTIFIED that the Company states, “Removal of the subject area from [the Company’s] certificated service area would not necessarily preclude [the Company] from extending service there in the future if a property owner required water service and [the Company] and [the City] agreed that [the Company] was best able to serve consistent with their WMA.” *Id.* at 6-7. The Company asserts that granting the Application would not impair the Company’s ability to serve existing customers or to extend service to its remaining certificated service area. No Company investments would be stranded, and the usefulness of existing infrastructure would not be impacted. The Company asks that the Application be processed by Modified Procedure.

YOU ARE FURTHER NOTIFIED that the Application, attachments, and testimony are available for public inspection during regular business hours at the Commission’s office. These documents are also available on the Commission’s web site at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click on the “WATER” icon, select “Open Cases,” and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission’s jurisdiction under Title 61 of the Idaho Code.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

#### **NOTICE OF INTERVENTION DEADLINE**

YOU ARE FURTHER NOTIFIED that persons desiring to intervene in this matter to obtain parties’ rights of participation must file a Petition to Intervene with the Commission pursuant to this Commission’s Rules of Procedure 72 and 73, IDAPA 31.01.01.072 and .073. **Persons who wish to intervene as a party must file a Petition to Intervene no later than 21 days from the date of service of this Order.** Persons desiring to present their views without parties’ rights of participation do not have to intervene and may present their comments without prior notification to the Commission or the parties.

YOU ARE FURTHER NOTIFIED that the Commission Secretary shall issue a Notice of Parties after the deadline for intervention has passed. The Notice of Parties shall assign exhibit numbers to each party in this proceeding.

YOU ARE FURTHER NOTIFIED that once the Notice of Parties is issued, Commission Staff will informally confer with the parties to discuss a schedule to process this case and other issues as may be raised by the parties.

YOU ARE FURTHER NOTIFIED that the following persons are designated as the Company's representatives in this matter:

Michael C. Creamer  
Preston N. Carter  
Givens Pursley LLP  
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Boise, ID 83702

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[prestoncarter@givenspursley.com](mailto:prestoncarter@givenspursley.com)

Marshall Thompson  
SUEZ Water Idaho Inc.  
8248 W. Victory Rd.  
Boise, ID 83709

[marshall.thompson@suez.com](mailto:marshall.thompson@suez.com)

YOU ARE FURTHER NOTIFIED that all hearings and prehearing conferences in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act ("ADA"). Persons needing the help of a sign language interpreter or other assistance to participate in or to understand testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION  
PO BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0338 (Telephone)  
(208) 334-3762 (FAX)  
Email: [secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)


### **ORDER**

IT IS HEREBY ORDERED that persons desiring to intervene in this case for the purpose of obtaining parties' rights of participation must file a Petition to Intervene with the Commission, under Rules 72 and 73, IDAPA 31.01.01.72-73, no later than 21 days from the service date of this Order.

IT IS FURTHER ORDERED that, after the Secretary issues a Notice of Parties, Staff will informally confer with the parties to discuss the appropriate scheduling of this case.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34781, issued September 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. 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 22<sup>nd</sup> day of April 2021.

  
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PAUL KJELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

  
\_\_\_\_\_  
ERIC ANDERSON, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jan Noriyuki  
Commission Secretary

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