

## DECISION MEMORANDUM

**TO:** COMMISSIONER ANDERSON  
COMMISSIONER HAMMOND  
COMMISSIONER LODGE  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** MICHAEL DUVAL  
DEPUTY ATTORNEY GENERAL

**DATE:** MARCH 5, 2024

**SUBJECT:** IN THE MATTER OF SCHWEITZER WATER COMPANY'S APPLICATION FOR APPROVAL OF THE ACQUISITION OF RESORT WATER CO. INC.'S ASSETS AND FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; CASE NO. SWC-W-23-01.

On December 27, 2023, Schweitzer Water Company ("Schweitzer" or "Company")<sup>1</sup> applied for approval of its acquisition of Resort Water Co. Inc.'s ("Resort") assets. Specifically, the Company requested that the Commission grant Schweitzer a new CPCN to serve Resort's current service area and approve Schweitzer's proposed tariffs.

On January 18, 2024, the Commission issued a Notice of Application and Notice of Intervention Deadline. Order No. 36063. No party intervened.

### STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Modified Procedure with a public comment deadline of April 11, 2024, and a Company reply deadline of April 25, 2024.

### COMMISSION DECISION

Does the Commission wish to issue a Notice of Modified Procedure establishing an April 11, 2024, public comment deadline and April 25, 2024, Company reply deadline?



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Michael Duval  
Deputy Attorney General

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<sup>1</sup> This same water system previously filed a case with equivalent requests—except that the proposed entity to be named on the requested CPCN was Husky Water Company. *See* Case No. HWC-W-23-01. After deciding that the Company name on the requested CPCN should instead be Schweitzer Water Company, the application in that case was withdrawn.