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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF CDS)	Case No: SWS-W-24-01
STONERIDGE UTILITIES, LLC'S)	
APPLICATION FOR AUTHORITY)	INTERVENOR GARRISON'S
TO INCREASE ITS RATES AND)	ANSWER IN OPPOSITION TO
CHARGES FOR WATER SERVICE)	STAFF'S MOTION TO SUSPEND -
IN THE STATE OF IDAHO)	PROCEEDINGS SHOULD BE
)	DISMISSED

ANSWER: Pursuant to the authority cited below, Intervenor, Randolph Lee Garrison, a party, hereby objects to and opposes Staff's motion to suspend this case for an additional sixty (60) days and vacate the comment period (motion filed 13 June 2024). Instead, Intervenor contends the Commission should dismiss the Application. Intervenor has filed a Motion to Dismiss. The Motion to Dismiss is pending before the Commission. In denying Staff's Motion to Suspend, the Commission should grant Intervenor's Motion to Dismiss, when the motion is ready for the Commission's decision.

Intervenor's points, authority and arguments are as follows:

- (1) DISMISSAL MORE APPROPRIATE REMEDY: DAG Duval's well written Motion to Suspend actually persuades the Commission to Dismiss these proceedings, rather than suspend.
- (2) AUTHORITY: The Commission has authority to Dismiss these proceedings (rather than Suspend) under Rule 124.02:

"The Commission may approve, reject or modify the rates and charges proposed and may find that rates and charges different from those proposed by any party are just, fair and reasonable."

- (3) CDS Stoneridge Utilities LLC (Stoneridge Utilities) filed their Application on 28 February 2024. We are now 3 ½ months into this proceeding. "Section 61-622 generally requires that a rate case be completed within six (6) months of the date it is filed." Case Processing Guidelines, page 16. We are past ½ of the way into the deadline for the proceeding to be completed. There has been no effective progress.
- (4) STONERIDGE UTILITIES IS REQUIRED TO HAVE COUNSEL: Staff observes that Stoneridge Utilities has no counsel. Intervenor and Staff all agree that

Stoneridge Utilities is required to and must have counsel. The Application should have not been filed. The Commission should sua sponte dismiss the Application, as Stoneridge Utilities can not proceed without counsel. *Indian Springs vs Indian Springs*, 147 Idaho 737, 215 P2d 457, at 464/465 (2009) (“In sum, the law in Idaho is that a business entity, such as a corporation, limited liability company, or partnership, must be represented by a licensed attorney before an administrative body or a judicial body.”). IDAPA 31.01.01.43 also requires Applicant to be represented by Counsel.

(5) SUSPENSION RESULTS IN PREJUDICE: Intervenors are prejudice by suspension. Intervenors are not prejudged by dismissal.

(a) Staff correctly points out:

(i) “The Company’s lack of counsel has increasingly impacted the progress of this case, especially regarding discovery.” And,

(ii) “Mr. Garrison filed two motions. The first requesting that the Commission direct that the intervenors are provided with the necessary discovery; and the second asking the Commission to process this case via a

technical hearing rather than by modified procedure.”

(A) Further, the deadline for Applicant to provide discovery responsive to Intervenor Garrison’s third request for discovery has past. Intervenor Garrison intends to file a Motion to Compel, leaving two Motions to Compel pending before the Commission.

(iii) “Of particular note, the intervenors in this case have not had adequate access to discovery. Staff believes that any potential confidential information within the Company’s protected discovery responses should comply with IDAPA 31.01.01.67—a task which requires a licensed attorney. IDAPA 31.01.01.67.03.”d

(b) Suspension of these proceedings actually further delays Intervenor’s right to discovery, and prejudices Intervenor with the further delay. The period after suspension gives inadequate time for Intervenor to defend these proceedings.

(6) MOTION TO DISMISS: Intervenor Garrison further incorporates by reference (as if recited verbatim herein) his Motion to Dismiss. The Motion to Dismiss has been e-mailed to the IPUC Secretary on 13 June 2024 and is anticipated to be filed 14 June

2024.

CONCLUSION: Intervenor Garrison respectfully disagrees with Staff's argument that the "fairest way forward" is suspension. The fairest way forward is Dismissal. Stoneridge Utilities should start over and be better prepared in the future to prosecute its requests in a timely manner.

DATED and Signed this 14th day of June, 2024.



Randolph Lee Garrison

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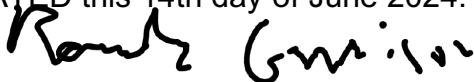
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14th day of June, 2024, I served a true and correct copy of the foregoing upon each party in this matter by delivering the same to each of the following individuals by the method indicated below, addressed as follows:

<p>Michael Duval Deputy Attorney General IDAHO PUBLIC UTILITIES COMMISSION P.O. Box 83720 Boise, ID 83720-0074</p>	<p>By e-mail michael.duval@puc.idaho.gov</p>
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<p>Rick Haruthunian CONDOMINIUM OWNERS ASSOC. INC: Ramsden, Marfice, Ealy & De Smet, LLP (Exhibit Nos. 201-300) 700 Northwest Blvd. P.O. Box 1336 Coeur d'Alene, ID 83816-1336</p>	<p>By e-mail: rharuthunian@rmedlaw.com</p>

DATED this 14th day of June 2024.



Randolph Lee Garrison