

DECISION MEMORANDUM

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

**FROM: MICHAEL DUVAL
DEPUTY ATTORNEY GENERAL**

DATE: JUNE 18, 2024

**SUBJECT: IN THE MATTER OF CDS STONERIDGE UTILITIES, LLC'S
APPLICATION FOR AUTHORITY TO INCREASE ITS RATES AND
CHARGES FOR WATER SERVICE IN THE STATE OF IDAHO; CASE
NO. SWS-W-24-01.**

On February 28, 2024, CDS Stoneridge Utilities, LLC (“Company” or “Stoneridge”) applied for authorization to increase its rates and charges for water service (“Application”). The Company made a separate supplemental filing requesting an April 1, 2024, effective date.¹

On March 13, 2024, the Idaho Public Utilities Commission (“Commission”) issued a Notice of Application, Notice of Intervention Deadline, and Notice of Suspension of Proposed Effective Date. Order No. 36116. The Stoneridge Property Owners Association, Inc. (“SPOA”), the Stoneridge Club Condominium Owners Association, Inc. (“SRCCOA”), and an individual, Randolph Garrison, *pro se*, petitioned to intervene (collectively the “Intervenors”). Order Nos. 36144 and 36163.

On May 28, 2024, the Commission issued a Notice of Modified Procedure establishing public and Company reply deadlines and Notice of Public Workshops.

On June 10, 2024, Mr. Garrison filed two motions. The first requested that the Commission order the Company (or the Commission Secretary should the Company fail to promptly comply) to provide the Intervenors with the necessary discovery in this case. Mr. Garrison’s second motion asked the Commission to process this case via a technical hearing rather than by modified procedure.

On June 13, 2024, Staff filed a Motion to Suspend This Matter and Vacate Comment Deadlines (“Motion”). Staff notified the Parties it planned to file the Motion and requested

¹ In its Application the Company initially requested a July 1, 2024, effective date. *See* Application Attachment G.

expeditious consideration of its Motion pursuant to Commission's Rule of Procedure 256. IDAPA 31.01.01.256.03. The Motion stated that the Company is not represented by an attorney and has not provided adequate discovery to the Intervenors. Accordingly, Staff discussed the representation requirements outlined in procedural Rule 43, IDAPA 31.01.01.43.02, and recommended that the Commission find good cause to suspend this case for an additional sixty (60) days pursuant to *Idaho Code* § 61-622(4). Staff also recommended that the Commission order the Company to submit a valid Notice of Representation in this case within thirty (30) days of the issuance of the requested order—with the case to be automatically dismissed upon non-compliance. Relatedly, Staff recommended that the comment deadlines previously imposed in Order No. 36192 be vacated and a new procedural schedule be determined if the Company can secure counsel and provide discovery to the Intervenors in a timely manner.

STAFF RECOMMENDATION


Staff recommends that the Commission:

1. Find good cause on the record to suspend this case for an additional sixty (60) days.
2. Suspend the case for an additional sixty (60) days from the issuance of the Commission's Order No. 36116—making a new effective date of November 30, 2024.
3. Order the Company to file a valid Notice of Representation within thirty (30) days of the Commission's order.
4. Dismiss this case if the Company fails to file a Notice of Representation within thirty (30) days.
5. Vacate the comment deadlines previously set in Order No. 36192.

COMMISSION DECISION

Does the Commission wish to:

1. Find good cause on the record to suspend this case for an additional sixty (60) days?
2. Suspend the case for an additional sixty (60) days from the issuance of the Commission's Order No. 36116—making a new effective date of November 30, 2024?
3. Order the Company to file a valid Notice of Representation within thirty (30) days of the Commission's order?
4. Dismiss this case if the Company fails to file a Notice of Representation within thirty (30) days?
5. Vacate the comment deadlines previously set in Order No. 36192?
6. Anything else?



Michael Duval
Deputy Attorney General