

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

|                                  |   |                             |
|----------------------------------|---|-----------------------------|
| <b>IN THE MATTER OF AVIMOR'S</b> | ) | <b>CASE NO. VEO-W-23-03</b> |
| <b>FORMAL COMPLAINT AGAINST</b>  | ) |                             |
| <b>VEOLIA WATER IDAHO, INC.</b>  | ) | <b>ORDER NO. 36096</b>      |
|                                  | ) |                             |

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On October 10, 2023, Avimor<sup>1</sup>, through its General Manager Brad Pfannmuller, (“Avimor” or “Complainant”), filed a formal complaint against Veolia Water Idaho (“Veolia” or “Company”) contending that a 2016 agreement for extension of water service to Lot 23 Block 12 of Avimor Subdivision No. 5 (“2016 Agreement”) between Suez Water Idaho (“SUEZ”)<sup>2</sup> and Avimor should be honored by Veolia (“Complaint”). The Complainant stated that the plan Veolia now proposes includes a main line extension down McLeod Road that is different and would cost more than anticipated in the 2016 Agreement. Avimor asserts this is a financial burden to the school which is anticipated to be constructed there by fall 2024. Among several exhibits included with the Complaint, the Complainant referenced Exhibit A (the 2016 Agreement) but did not include Exhibit A.

On October 16, 2023, Avimor filed a Notice of Representation, informing the Commission that attorney, Norman Semanko would be representing Avimor in this matter, and an errata to the formal complaint (“Errata”). The Errata contained the 2016 Agreement between SUEZ and Avimor.

On November 22, 2023, Staff’s counsel notified the Commission Secretary pursuant to Rule of Procedure 272, IDAPA 31.01.01.272, that it had entered into settlement negotiations with the parties.

On February 5, 2024, Avimor filed a Notice of Withdrawal of Formal Complaint indicating that it had withdrawn its complaint.

At the Commission’s February 13, 2024, Decision Meeting, Staff presented a Decision Memorandum recommending the Commission issue a Notice of Withdrawal and close the docket.

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<sup>1</sup> Avimor filed the formal complaint in this case on behalf of Idaho Novus Classical Academy (“INCA”) which would be the party responsible for the costs associated with the line extension. Avimor donated the land which INCA will build its school on.

<sup>2</sup> In Order No. 35443, the Commission approved Veolia’s Application to approve the name change of Suez Water Idaho, Inc. to Veolia Water Idaho, Inc.

Having reviewed the record in this case, including Avimor's Notice of Withdrawal, we now issue this Order memorializing Avimor's withdrawal.

**COMMISSION DISCUSSION AND FINDINGS**

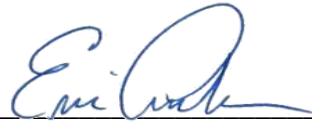
The Commission has authority over this case under *Idaho Code* §§ 61-125, and -129 and Commission Rules of Procedure 54, IDAPA31.01.01.054. The Commission accepts Avimor's Notice of Withdrawal. We note that the resolution of the formal Complaint was not filed with the Commission and occurred outside of any process established by the Commission or its Staff. We welcome the resolution of this Complaint between the parties and trust that the public interest is served by the outcome of such resolution.

**ORDER**

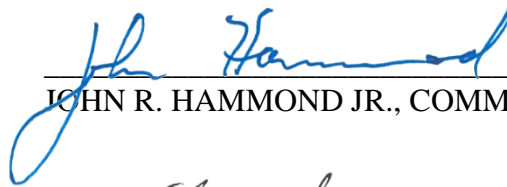
IT IS HEREBY ORDERED that Avimor's Notice of Withdrawal is accepted.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within 21-days of the service date of this Order regarding any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code* § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 23<sup>rd</sup> day of February 2024.



ERIC ANDERSON, PRESIDENT




JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:

  
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Monica Barrios-Sanchez  
Commission Secretary

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