

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE CITY OF EAGLE)	CASE NO. VEO-W-23-05
AND VEOLIA WATER IDAHO’S JOINT)	
APPLICATION TO AMEND VEOLIA)	NOTICE OF APPLICATION
WATER IDAHO’S CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY)	NOTICE OF INTERVENTION
)	DEADLINE
)	
)	ORDER NO. 36064
)	

On December 28, 2023, the City of Eagle (“Eagle” or “City”) and Veolia Water Idaho, Inc. (“Company”) (collectively the “Applicants”) jointly applied to amend and revise the Company’s Certificate of Public Convenience and Necessity (“CPCN”) No. 143 to remove a portion of the City from the Company’s certificated service territory. If the Application is approved, the water system assets servicing Company customers in the eliminated service territory along with other assets serving the Eagle Skate Park in the Eagle Sports Complex will be transferred to the City. The Applicants requested their Application be processed via modified procedure.

With this Order, the Commission provides notice of the Company’s Application and sets a deadline for interested parties to intervene.

BACKGROUND

Prior to acquisition by the Company, Eagle Water Company (“EWC”) serviced Area 4 (defined below). In settling prior litigation between the Applicants related to the Company’s acquisition of EWC, the Applicants formed a Water Management Agreement (“WMA”) that, among other things, required the City to apply (with Company cooperation) for removal of Area 4 from the Company’s service territory.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Applicants seek to remove from CPCN No. 143 what they refer to as “Area 4,” an area encompassing the Bighorn Subdivision, the LDS Church located at 2090 N. Eagle Road, and 2 connections from the 12-inch mainline along Eagle Road. The Company services twenty-five customers and four fire hydrants in this area.

YOU ARE FURTHER NOTIFIED that the Applicants represent that approval of their Application is in the public interest, the City’s and Company’s rates are comparable, and the City

has a bona fide intent and financial ability to operate and maintain the water infrastructure to be transferred.

YOU ARE FURTHER NOTIFIED that the Application and supporting documentation have been filed with the Commission and are available for public inspection during regular business hours at the Commission's office. These documents are also available on the Commission's website at www.puc.idaho.gov. Click on the "WATER" icon, select "Open Cases," and then 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 after the date of service of this Order.** Such persons shall also provide the Commission Secretary with their email address to facilitate further communications. After the intervention deadline runs, the Commission Secretary shall issue a Notice of Parties that identifies the parties and assigns exhibit numbers to each party. Once the Notice of Parties has issued, Commission Staff shall informally confer with the Company and any intervening parties about how to further process this case and shall then report back to the Commission on a proposed case schedule.

YOU ARE FURTHER NOTIFIED that persons who would like to present their views without parties' rights of participation and cross-examination do not have to intervene but may present their views by submitting written comments to the Commission.

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

For the City of Eagle:

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For Veolia Water Idaho:

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ORDER

IT IS HEREBY ORDERED that persons desiring to intervene in this matter must file a Petition to Intervene no later than 21 days from the service date of this Order. Once the deadline has passed, the Commission Secretary shall prepare and issue a Notice of Parties.


IT IS FURTHER ORDERED that, after the Notice of Parties has issued, Commission Staff shall confer with the parties regarding a procedural schedule for this matter including, if necessary, a hearing in this matter.

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 18th day of January 2024.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Monica Berrios-Sanchez
Commission Secretary

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