

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF MAYFIELD SPRINGS WATER)	CASE NO. MSW-W-08-01
COMPANY, INC. FOR A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND)	
NECESSITY.)	ORDER NO. 30710
)	

On August 26, 2008, the Commission issued Order No. 30628 granting Mayfield Springs a Certificate of Public Convenience and Necessity and setting rates for the provision of water service to its customers. On September 15, 2008, Gerald J. Corvino filed a four-issue Petition for Reconsideration.

In Order No. 30656, the Commission granted reconsideration on the limited issue of “refunding the difference between \$2,500 and \$725 for residential hookup fees collected prior to August 30, 2008.” Order No. 30656 at 6. On October 28, 2008, the Commission granted an extension of the original filing timelines in order to accommodate “ongoing settlement negotiations regarding the civil action.” Order No. 30663 at 1. It was believed that a settlement of the civil action could also allow for resolution of the matter before the Commission on reconsideration.

On December 15, 2008, Mr. Corvino filed a “Request for Dismissal of Order No. 30656.” Mr. Corvino requests the dismissal as a result of reaching settlement terms with Mayfield Springs in the civil court action. Mr. Corvino’s motion indicates that all parties were served with the Request. Mayfield Springs does not oppose Mr. Corvino’s motion.


DISCUSSION

After reviewing Mr. Corvino’s Request for Dismissal, we find it reasonable to treat the request as a notice to withdraw his Petition for Reconsideration pursuant to Rule 68, IDAPA 31.01.01.068. Rule 68 allows a party to withdraw a pleading. Given the apparent settlement and the fact that Mr. Corvino was the only party seeking reconsideration, we find it appropriate to grant his request and close this case.

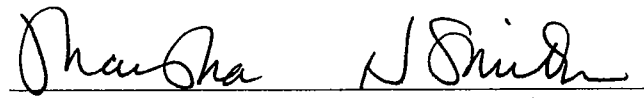
ORDER

IT IS HEREBY ORDERED that Mr. Corvino's request to withdraw his Petition for Reconsideration, filed on September 15, 2008, is granted pursuant to Rule 68, IDAPA 31.01.01.068, and the case is closed.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 29th day of December 2008.



MACK A REDFORD, PRESIDENT




MARSHA H. SMITH, COMMISSIONER



JIM D. KEMPTON, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary