

DECISION MEMORANDUM

**TO: COMMISSIONER REDFORD
 COMMISSIONER SMITH
 COMMISSIONER KEMPTON
 COMMISSION SECRETARY
 COMMISSION STAFF**

**FROM: DON HOWELL AND KRISTINE SASSER
 DEPUTY ATTORNEYS GENERAL**

DATE: DECEMBER 16, 2008

**SUBJECT: MR. CORVINO’S WITHDRAWAL OF HIS PETITION FOR
 RECONSIDERATION FROM THE FINAL ORDER IN MAYFIELD
 SPRINGS, CASE NO. MSW-W-08-01**

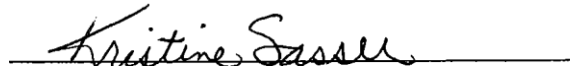
On August 26, 2008, the Commission issued Order No. 30628 granting Mayfield Springs a Certificate of Public Convenience and Necessity and setting rates for the provision of water service to its customers. On September 15, 2008, Mr. Corvino filed a four-issue Petition for Reconsideration.

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.

COMMISSION DECISION

1. Does the Commission wish to allow Mr. Corvino to withdraw his Petition for Reconsideration, filed on September 15, 2008, pursuant to Rule 68, IDAPA 31.01.01.068?

A handwritten signature in cursive script, reading "Kristine Sasser", is written over a solid horizontal line.

Don Howell and Kristine Sasser
Deputy Attorneys General

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