(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF STAR VALLEY ENERGY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE NATURAL GAS SERVICE TO SALMON, IDAHO. | )))))) | CASE NO. SVE-G-95-1ORDER NO.  26444 |

On February 24, 1995, Star Valley Energy, Inc., an Idaho corporation, filed an Application with the Idaho Public Utilities Commission (Commission) requesting a Certificate of Public Convenience and Necessity to operate as a natural gas corporation and public utility in the state of Idaho, and authority to construct facilities required to provide natural gas service to the community of Salmon, Idaho.  Idaho Code § 61-526; IDAPA 31.01.01.111.  The principal office of Star Valley Energy is located at 1829 Meadow View Avenue, Rexburg, Idaho 83440.

On March 14, 1995, the Commission issued Notices of Application, intervention deadline and initial comment deadline.  The initial comment period in Case No. SVE-G-95-1 expired May 18, 1995.  The Commission Staff was the only party to submit comments.  It was Staff’s contention that the Company’s filing was insufficient and that the Company had not provided information of the sort that would permit the Commission to make findings that would support the issuance of a certificate.  The Commission determined to take no further action until further information was provided.  The Commission encouraged Star Valley Energy to respond to Staff comments within 30 days, provide a time line for accomplishing identified tasks and at the conclusion of that period provide the Commission with an amended filing.  On June 23, 1995, Star Valley Energy submitted its proposed time line and indicated its intention to provide the Commission with an amended Application on or before February 1996.  Pursuant to letter dated May 7, 1996, Star Valley Energy requests permission to withdraw its Application.

COMMISSION FINDINGS

The Commission has reviewed the filings of record and correspondence in Case No. SVE-G-95-1.  The Commission notes that withdrawal of pleadings is permitted under Rule 67 of the Commission’s Rules of Procedure.  The Commission finds it reasonable to permit Star Valley to withdraw its Application in Case No. SVE-G-95-1.

CONCLUSIONS OF LAW

The Commission has jurisdiction in Case No. SVE-G-95-1 pursuant to the authority and jurisdiction granted it under Title 61 of the Idaho Code and the Commission’s Rules of Procedure, IDAPA 31.01.01.000 et seq.

O R D E R

In consideration of the foregoing and for reasons more particularly described above, IT IS HEREBY ORDERED that Star Valley Energy, Inc. be permitted to withdraw its Application in Case No.  SVE-G-95-1 and the case docket is accordingly closed.

THIS IS A FINAL ORDER.  Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of 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                  day of May 1996.

                                                                                                                                       RALPH NELSON, PRESIDENT

                                                                                            MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

vld/O:SVE-G-95-1.sw

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

May 15, 1996