BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

|  |  |  |
| --- | --- | --- |
| IN THE MATTER OF THE APPLICATION OF BOISE WATER CORPORATION FOR AP-PROVAL OF AN AGREEMENT TO EXPAND FACILITIES IN SOUTHEAST BOISE AND TO AMEND AND REVISE CERTIFICATE OF CON-VENIENCE AND NECESSITY NO. 143. | )  )  )  )  )  )  )  ) | CASE NO. BOI-W-95-1  NOTICE OF APPLICATION  NOTICE OF MODIFIED         PROCEDURE  NOTICE OF INTERVENTION         DEADLINE |

YOU ARE HEREBY NOTIFIED that on March 8, 1995, Boise Water Corporation filed an Application with this Commission to amend and revise its Certificate of Convenience and Necessity No. 143, as amended, by enlarging and extending its boundaries.

YOU ARE FURTHER NOTIFIED that the Application states that for approximately 90 years Boise Water (together with its predecessors and interests) has owned and operated and now owns and operates a water system in Boise, Idaho, and in certain territory in Ada County in the vicinity of, but outside the current corporate limits of Boise, and provides general water service within the territory and to the inhabitants thereof.

YOU ARE FURTHER NOTIFIED that the Application states that Boise Water holds a franchise from the city of Boise and is presently working with the city for renewal of that franchise.  Boise Water also holds a franchise issued by the Board of County Commissioners of Ada County for a term of 50 years beginning May 14, 1952.

YOU ARE FURTHER NOTIFIED that the Application states that Boise Water proposes to extend a portion of its southern and eastern boundaries south and east of the Columbia Village Subdivision.

YOU ARE FURTHER NOTIFIED that the Application states the extension of its southern and eastern boundaries will fulfill several needs.  Southeast Boise is growing rapidly and Micron Technology, Inc. (Micron) continues to expand its plant.  In October 1994, the Idaho Department of Water Resources declared a Ground Water Management Area and Moratorium which halted the drilling of new wells in the Boise Fan Aquifer.  As a result of concerns over the water supply in the area, Boise Water and Micron have entered into an agreement to develop additional facilities and bring water to the Columbia Basin and the Gowen service areas from the Pleasant Valley Road area.  The scope of the project includes new wells, transmission lines and a water storage reservoir.  Boise Water and Micron are desirous of having the project facilities in place by July 1, 1995.

YOU ARE FURTHER NOTIFIED that Boise Water and Micron have entered into the Southeast Boise Water Supply Project Agreement (Agreement), which was attached to Boise Water’s Application.

YOU ARE FURTHER NOTIFIED that the Application states that the estimated cost of the project is five million dollars ($5,000,000).  The entire cost of the project will be financed by Micron as described in the Agreement.  Boise Water will reimburse Micron from connection fees from new hook-ups in Boise Water’s southeast service area and as shown on the map attached to the Agreement as Exhibit B.  Boise Water and Micron have agreed that the costs associated with the project will be apportioned between Micron and third party land developers as stated in the Agreement.  Reimbursement from connection fees will be paid to Micron until the land developer costs have been paid in full, but will not exceed a period of 20 years.

YOU ARE FURTHER NOTIFIED that the Application states that the area Boise Water proposes to serve is contiguous to its present system and certificated area, that the area is not within the authorized territory of any other public utility water corporation under the jurisdiction of the Commission, and that extension into this area is consistent with and necessary to the ordinary course of Boise Water’s business and is required by the public convenience and necessity.

YOU ARE FURTHER NOTIFIED that Boise Water states that there is only one water company operating under a Certificate of Public Convenience and Necessity from the Commission within the exterior boundary of Boise Water’s current certificate, namely Capitol Water Corporation.  Boise Water states that Capitol Water’s service area is far removed from the area requested in its current Application.

YOU ARE FURTHER NOTIFIED that the Application and exhibits have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices.

YOU ARE FURTHER NOTIFIED that persons desiring to intervene in this case for the purpose of presenting evidence or cross-examining witnesses must file a Petition to Intervene with the Commission no later than April 3, 1995 pursuant to Rules 72 and 73 (formerly Rule 5) of the Commission’s Rules of Procedure, IDAPA 31.01.01000 et seq.  Persons desiring to present their views without parties’ rights of participation and cross-examination are not required to intervene and may present their comments without prior notification to the Commission or to other parties.

YOU ARE FURTHER NOTIFIED that the Commission has jurisdiction over this matter pursuant to Title 61 of the Idaho Code.

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01201 through -204.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission within twenty-one (21) days from the date of this Notice.  The comments must contain a statement of reasons supporting the comments.  Persons desiring a hearing must specifically request a hearing in their written comments.  Written comments concerning this application shall be mailed to:

COMMISSION SECRETARY

IDAHO PUBLIC UTILITIES COMMISSION

PO BOX 83720

BOISE, IDAHO  83720-0074

Street Address for Express Mail:

472 W WASHINGTON ST

BOISE, IDAHO  83702-5983

Copies of these comments shall be served upon the following representatives of Boise Water Corporation:

Kenneth G. Bergquist

Attorney at Law

PO Box 1775

Boise, ID  83701

Wayne L. Booe, President

Boise Water Corporation

PO Box 7488

Boise, ID  83707

These comments or protests should contain the case caption and case number shown on the first page of this document.

YOU ARE FURTHER NOTIFIED that if no written comments are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing.  If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

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 and that the Commission may enter any final Order consistent with its authority under Title 61.

DATED at Boise, Idaho this                  day of  March 1995.

Myrna J. Walters

Commission Secretary

vld/N-BOI-W-95-1.lm