

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION OF BRIAN WATER CORPORATION FOR AUTHORITY TO INCREASE ITS RATES AND CHARGES.</b>	) <b>CASE NO. BRN-W-11-01</b> ) ) <b>NOTICE OF</b> ) <b>MODIFIED PROCEDURE</b> ) ) <b>NOTICE OF WORKSHOP</b> ) ) <b>NOTICE OF</b> ) <b>COMMENT DEADLINE</b> ) ) <b>ORDER NO. 32249</b>
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On February 25, 2011, Brian Water Corporation filed an Application for authority to increase its base rate from \$12.50 to \$18.00 for the first 4,000 gallons per month. Brian Water is located in Ada County and serves approximately 46 residential customers. The Company requests that its increase become effective as soon as possible.

**THE APPLICATION**

Brian Water asserts that its last request for a rate increase was in 2007. Its actual revenues since the Commission’s approval of its 2007 increase have been lower than expected due to cool, wet weather over the past few years. Brian Water also states that its nitrate levels exceed the EPA’s maximum contamination level (MCL) of 10 mg/L. The Application states that DEQ is directing the Company “to enact a longer range solution to keep the levels below the MCL.” Application at 1. As a result, the Company is considering a new, deeper well.

The Application maintains that an increase in base rates would provide the revenues needed and put the Company’s rates more in line with other water systems.

**NOTICE OF MODIFIED PROCEDURE**

YOU ARE HEREBY NOTIFIED that the Commission has determined that the public interest may not require a formal evidentiary hearing in this matter and will proceed under Modified Procedure pursuant to the Commission’s Rules of Procedure 201 through 204, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written

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comments have proven to be an effective means for obtaining public input and participation in cases of this nature.

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 **no later than Thursday, June 30, 2011**. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Applicant at the addresses reflected below:

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

Tony Bowar  
Brian Water Corporation  
5120 Overland Road  
Boise, ID 83705  
E-mail: [tonybowar@yahoo.com](mailto:tonybowar@yahoo.com)

Street Address for Express Mail:

472 W. Washington Street  
Boise, ID 83702-5918

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Comments and Questions" icon, and complete the form using the case number as it appears on the front of this document. These comments must also be sent to Brian Water at the e-mail address listed above.

YOU ARE FURTHER NOTIFIED that Brian Water may file reply comments (if necessary) **no later than Friday, July 8, 2011**.

YOU ARE FURTHER NOTIFIED that if no written comments or protests 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.

#### **NOTICE OF PUBLIC WORKSHOP**

YOU ARE FURTHER NOTIFIED that the Commission shall convene a public workshop on **THURSDAY, JUNE 23, 2011, AT 7 P.M. IN THE COMMISSION HEARING**

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**ROOM, 472 WEST WASHINGTON STREET, BOISE, IDAHO.** The purpose of the workshop is to provide Brian Water customers with an overview of the Company’s Application and dispense information. At this meeting customers will have an opportunity to ask questions of Staff regarding the Application and how customers may further participate in the proceeding. Company representatives may also be available.

YOU ARE FURTHER NOTIFIED that the Application together with supporting workpapers, testimonies and exhibits have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application and testimonies may also be viewed on the Commission’s website at [www.puc.idaho.gov](http://www.puc.idaho.gov) by clicking on “File Room” and then “Water Cases” under the corresponding case number for this proceeding.

YOU ARE FURTHER NOTIFIED that all workshops and hearings in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION  
PO BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0338 (Telephone)  
(208) 334-3762 (FAX)  
E-Mail: [secretary@puc.idaho.gov](mailto:secretary@puc.idaho.gov)

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.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted according to the Commission’s Rules of Procedure, IDAPA 31.01.01.000, *et seq.*

**ORDER**

IT IS HEREBY ORDERED that this case be processed under Modified Procedure. Interested persons and parties may file written comments regarding the Company's Application no later than June 30, 2011.

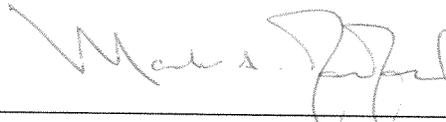
IT IS FURTHER ORDERED that Brian Water may file reply comments no later than July 8, 2011.

IT IS FURTHER ORDERED that a public workshop be held on Thursday, June 23, 2011, in the Commission Hearing Room, 472 West Washington Street, Boise, Idaho.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 27<sup>th</sup> day of May 2011.



PAUL KJELLANDER, PRESIDENT

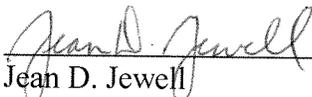


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell  
Commission Secretary

O:BRN-W-11-01\_ks2

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