

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION ) CASE NO. BRN-W-11-01**  
**OF BRIAN WATER CORPORATION FOR )**  
**AUTHORITY TO INCREASE ITS RATES ) NOTICE OF PUBLIC HEARING**  
**AND CHARGES. )**  
**)**  
**)**  
**) ORDER NO. 32291**

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On February 25, 2011, Brian Water Corp. filed an Application for authority to increase its base rate from \$12.50 to \$18.00 for the first 4000 gallons per month. Brian Water asserts that its last request for a rate increase was in 2007. The Company maintains that 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. The Company requests that the increase become effective as soon as possible.

On March 24, 2011, the Commission issued a Notice of Application and Notice of Intervention Deadline. Order No. 32211. No parties petitioned to intervene. On May 27, 2011, the Commission issued a Notice of Modified Procedure and Notice of Public Workshop, setting a comment deadline of June 30, 2011. The public workshop was held on June 23, 2011. No persons or parties attended the public workshop and Staff was the only party to file comments.

**NOTICE OF PUBLIC HEARING**

YOU ARE HEREBY NOTIFIED that a public hearing has been scheduled for **WEDNESDAY, AUGUST 3, 2011, COMMENCING AT 7:00 P.M., IN THE COMMISSION HEARING ROOM, 472 WEST WASHINGTON STREET, BOISE, IDAHO.** The purpose of the hearing is for the Commission to hear the direct testimony of customers and interested members of the public. Testimony will be recorded and made part of the Commission's formal record for decision in this matter. The Company's customers and any other interested members of the public are encouraged to attend and give testimony.

YOU ARE FURTHER NOTIFIED that all 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 the Application together with supporting workpapers and exhibits (if any) have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application and workpapers are also available 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 Case No. BRN-W-11-01.

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 pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000, *et seq.*

### **ORDER**

IT IS HEREBY ORDERED that the Commission conduct a public hearing on Wednesday, August 3, 2011, at 7:00 p.m. in the Commission Hearing Room, 472 West Washington Street, Boise, Idaho.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 11<sup>th</sup>  
day of July 2011.

  
PAUL KJELLANDER, PRESIDENT

  
MACK A. REDFORD, COMMISSIONER

  
MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

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