

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF BRIAN WATER CORPORATION) CASE NO. BRN-W-12-02
REQUESTING A TEMPORARY)
SURCHARGE IN ITS RATES AND) NOTICE OF APPLICATION
CHARGES FOR WATER SERVICE)
_____) ORDER NO. 32711**

YOU ARE HEREBY NOTIFIED that on December 7, 2012, Brian Water Corporation (“Brian Water” or “Company”) filed an Application requesting authority to institute an increase in its current monthly customer surcharge.

YOU ARE FURTHER NOTIFIED that Brian Water claims that an additional customer surcharge is necessary in order to retire an outstanding loan balance of \$13,000 and fund a nitrate mitigation project on the water system with an estimated cost of \$40,000.

YOU ARE FURTHER NOTIFIED that Brian Water requests an increase from its currently monthly surcharge of \$15 to \$50. The Company states that longer term financing is not available. The Company asks the Commission to authorize the surcharge for a period of two years beginning in January 2013.

YOU ARE FURTHER NOTIFIED that the Company is still in the process of completing an engineering report and meeting other water system compliance standards mandated by an Idaho Department of Environmental Quality (IDEQ) Consent Order.

YOU ARE FURTHER NOTIFIED that Brian Water’s revenue requirement, and every component of it, both rate base and expense, are at issue. The Commission may grant, deny, or modify the revenue requirement requested and may find a revenue requirement different from that proposed by any party is just, fair and reasonable. IDAPA 31.01.01.124.01.

YOU ARE FURTHER NOTIFIED that the rates and charges of all Idaho retail customers, both recurring and non-recurring, including those of any special contract customers are at issue, and every component of every existing and proposed rate and charge is at issue. The Commission may approve, reject or modify the rates and charges proposed and may find that rates and charges different from those proposed by any party are just, fair and reasonable. IDAPA 31.01.01.124.02.

YOU ARE FURTHER NOTIFIED that the Commission may approve, reject or modify existing or proposed relationships between and among rates and charges within, between or among customer classes or rate groupings and may approve, reject or modify existing or proposed relationships among and between customer classes or rate groupings. IDAPA 31.01.01.124.02.

YOU ARE FURTHER NOTIFIED that the Commission may abolish, reduce or create rate blocks or categories of rates and charges, abolish, create or reduce components of rates and charges, abolish, reduce or create customer classes or rate groupings, and abolish reduce or create absolute or relative differences among and between existing classes or rate groupings of customers. IDAPA 31.01.01.124.02.

YOU ARE FURTHER NOTIFIED that the tariffs, practices, rules and regulations, service, instrumentalities, equipment, facilities, classifications, and customer relations of the utility are at issue and the Commission may address any of them in its order. IDAPA 31.01.01.124.02.

YOU ARE FURTHER NOTIFIED that the Commission Staff shall conduct an audit of the Company's Application, workpapers and all documents and files relevant to this matter. Following such audit, the Staff shall present to the Commission its findings and recommendations. After reviewing the Staff's audit and recommendations, the Commission will issue an Order regarding the further processing of this case.

YOU ARE FURTHER NOTIFIED that Brian Water's filing can be viewed at www.puc.idaho.gov by clicking on "File Room" and then "Water Cases," or it can be viewed during regular business hours at the Idaho Public Utilities Commission, 472 West Washington Street, Boise, Idaho.

YOU ARE FURTHER NOTIFIED that the Idaho Public Utilities Commission has jurisdiction over Brian Water, its filing and the issues pertaining to this case pursuant to Title 61 of the Idaho Code and specifically *Idaho Code* §§ 61-502, 61-622 and 61-623.

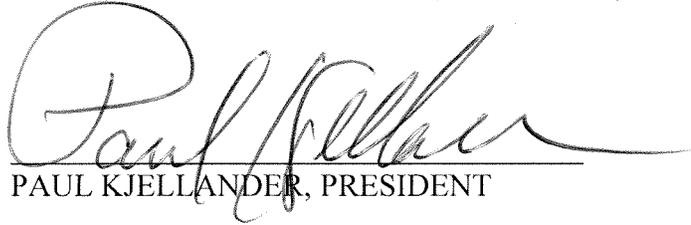
YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

IT IS HEREBY ORDERED that the Application of Brian Water Corporation for authority to increase its rates and charges for water service shall be suspended for a period of 30 days plus 5 months pursuant to the Commission's authority under *Idaho Code* § 61-622.

IT IS FURTHER ORDERED that the Company's current monthly customer surcharge of \$15 shall remain in effect pending the Commission's final decision regarding the Company's Application. The current surcharge shall be subject to the same conditions set forth in Commission Order No. 32566.

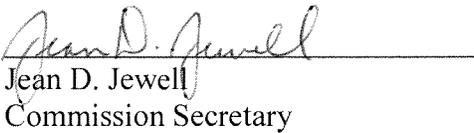
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 7th day of January 2013.


PAUL KJELLANDER, PRESIDENT


MACK A. REDFORD, COMMISSIONER


MARSHA H. SMITH, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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