

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE INVESTIGATION)
OF CAPITOL WATER CORPORATION AND) **CASE NO. CAP-W-96-1**
ITS ABILITY TO PROVIDE ADEQUATE)
SERVICE AND WATER QUALITY.) **ORDER NO. 30798**
)

On September 11, 1996, the Idaho Public Utilities Commission (Commission) in Order No. 26605, Case No. CAP-W-96-1, initiated an investigation regarding the ability of Capitol Water Corporation (Capitol Water; Company) to provide adequate service and water quality. More specifically, the Company was directed to identify and develop the costs of alternatives for mitigating or eliminating the iron and manganese in the Company's wells and water distribution system.

In Case No. CAP-W-96-2 (Application for a Temporary Rate Increase to Implement Water Quality Improvements), Order No. 27022, page 7, the Commission directed Capitol Water to use the CAP-W-96-1 case docket for the administrative filing of quarterly reports by the Company related to temporary surcharge collections and disbursements for capital improvements and repairs to the Company's system. Reference Surcharge No. 1 (Tariff Schedule 1 – \$3.27 per month, Order No. 27022; Tariff Schedule 2 – 25.2%, Order No. 27022) and Surcharge No. 2 (Schedule 1 – \$3.10 per month, Order No. 29035 increased to \$3.55 per month Order No. 29401; Schedule 2 – 23.6%, Order No. 29035 increased to 27.1% Order No. 29401).

On November 17, 2008, in Case No. CAP-W-08-01, the Company filed an Application with the Commission requesting authorization to cancel the Commission-approved surcharges for tariff Schedules 1 and 2. On November 26, 2008, the Commission in Order No. 30690 cancelled the tariff Schedule 1 and 2 surcharges for an effective date of December 1, 2008. Noting the Company's surcharges have been cancelled and with it the need for the Company to file the quarterly status reports required by Order No. 27022, the Commission finds it reasonable to close the CAP-W-96-1 case docket.

CONCLUSIONS OF LAW

The Commission has jurisdiction over Capitol Water Corporation, a water utility, and its Application in this case pursuant to the jurisdiction granted under Title 61 of the Idaho Code and the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED and the Commission does hereby terminate further proceedings and closes the docket in Case No. CAP-W-96-1.

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 7th day of May 2009.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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