

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF EAGLE WATER)
COMPANY'S APPLICATION FOR) CASE NO. EAG-W-15-01
AUTHORITY TO IMPLEMENT A CUSTOMER)
SURCHARGE) ORDER NO. 33509
)

In November 2015, Eagle Water filed an Application seeking authority to implement a 53.82% surcharge on its customers' water usage. The Company requested that the case be processed via Modified Procedure and that the surcharge become effective in approximately 30 days. The Commission initially suspended that proposed effective date until March 10, 2016. Order No. 33430. Subsequently, on March 4, 2016, Commission Staff moved to further suspend the proposed effective date for an additional 90 days. The Commission granted that Motion and suspended the effective date until June 8, 2016.

On April 8, 2016, Eagle Water Company and Commission Staff (the "Parties") filed a Joint Stipulation and Motion to further suspend the pending Application in this case for an additional 90 days. In addition to the 90-day suspension, the Parties have agreed that by July 1, 2016, Eagle Water will inform Staff of the Company's position on settling the case or proceeding with the underlying Application. They agreed that failing to meet this deadline may result in dismissal of this Application.

THE MOTION

The Parties state that they have worked diligently and are engaged in settlement discussions that could resolve the entire case. However, they claim they do not foresee complete resolution before June 8, 2016. Therefore, the Parties agree and Eagle Water has expressly consented that this case should be further suspended until September 6, 2016. *See Idaho Code § 61-622.*¹

In addition to suspending the effective date, the Parties also agreed that Eagle Water shall inform Staff by July 1, 2016, of its position on settlement, or request setting a schedule for processing the underlying Application. The Parties agreed that if the Company does not inform Staff of its position by the July 1 deadline, the Application will be considered automatically

¹ Section 61-622(4) provides in pertinent part that "the commission may, with the consent in writing signed by the party filing [the application], permanently or further suspend the [effective date]."

withdrawn and the Commission may issue an Order dismissing the Application without prejudice.

COMMISSION FINDINGS

After reviewing the Joint Stipulation and Motion, we find there is good cause to grant the Motion and further suspend this matter. No party will be prejudiced by the extension, and no harm will come to ratepayers as a result. Further, we find it appropriate to adopt the Parties' Stipulation that Eagle Water report the status of settlement to Staff by July 1, 2016, or be subject to automatic withdrawal of the Application. Upon a motion made by Staff, the Commission may then issue an Order dismissing the Application without prejudice. *See* Rule 248 (“[t]he Commission is not bound to adopt a stipulation of the parties, but may by order do so.”). Accordingly, pursuant to the Commission’s authority under *Idaho Code* § 61-622(4) and Rules 248 and 256 (IDAPA 31.01.01.248, .256), we grant the Joint Stipulation and Motion.

ORDER

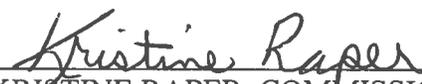
IT IS HEREBY ORDERED that the Parties’ Motion is granted. The proposed effective date is further suspended for a period of 90 days, until September 6, 2016.

IT IS FURTHER ORDERED that Eagle Water notify Staff of its position on settlement or request the setting of a schedule to process the underlying Application by the close of business on July 1, 2016. If Eagle Water fails to provide such notice, Staff may move the Commission for an Order automatically dismissing the Application without prejudice.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 25th
day of April 2016.



PAUL KJELLANDER, PRESIDENT

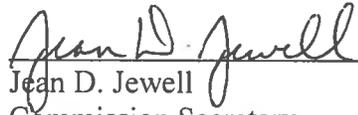


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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