BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF UNITED WATER IDAHO INC. FOR APPROVAL OF RATES AND CHARGES AND FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A WATER UTILITY IN THE STATE OF IDAHO. | )  )  )  )  )  )  )  ) | CASE NO. EUW-W-94-1 |

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| IN THE MATTER OF THE APPLICATION OF EAGLE WATER COMPANY, INC. FOR AUTHORITY TO EXPAND ITS CERTIFI­CATED AREA AND AMEND ITS CERTIFI­CATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 278. | )  )  )  )  )  )  ) | CASE NO. EAG-W-95-1  ORDER NO.  26246 |

On November 2, 1995, United Water Idaho Inc. (United Water; Company) filed a Motion for Procedural Relief with the Idaho Public Utilities Commission (Commission) in Case Nos. EUW-W-94-1 and EAG-W-95-1.  In its Motion the Company makes the following three requests:

1.  The Company requests that the Commission issue a Notice of Parties clarifying who is to receive copies of testimony and identifying the party assigned exhibit numbers.

2.  The Company requests that the Commission direct Eagle Water Company and its counsel to comply with Rule 44 of the Commission’s Rules of Procedure (Service on Representatives of Parties and Other Persons) and in accordance therewith to serve copies of all pleadings, testimony and exhibits in both of the consolidated cases upon counsel for United Water Idaho Inc.

3.  The Company requests that the Commission enter an Order pursuant to Rule 255 of the Commission’s Rules of Procedure (Briefs—Proposed Orders of the Parties—Statements of Position—Proposed Order of the Commission) “allowing parties, intervenors, and Staff to file briefs, memoranda, statements of position and proposed orders with the Commission in advance of the public hearing on or before January 5, 1996.  (Public hearing is scheduled in the consolidated cases for January 10-11, 1996.

The Company requests that the Commission issue its Order without oral argument.

Commission Findings

The Commission considered the Company’s filing and Motion for Procedural Relief in Case Nos. EUW-W-94-1 and EAG-W-95-1 at its regularly scheduled decision meeting on November 20, 1995.  The Commission notes that Counsel for United Water Idaho Inc. was present at the Commission’s decision meeting and provided additional information.  Based on information provided the Commission makes the following findings regarding the three requests set out in the Company’s Motion for Procedural Relief.

1.  The Commission finds it reasonable that a Notice of Parties be prepared and immediately issued.

2.  Counsel for United Water Idaho Inc. informs the Commission Staff that this matter has been resolved and that no Commission action is required.  The Commission finds that this request has been withdrawn.

3.  United Water informs the Commission that the Company seeks only the opportunity to file a Statement of Position in advance of hearing.  The Commission finds it reasonable to grant the Company’s request and further finds it reasonable to grant all parties this opportunity.  Reference Commission Rules of Procedure, Rule 255.

O R D E R

In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED and the Commission Secretary is hereby directed to issue a Notice of Parties in Case Nos. EUW-W-94-1 and EAG-W-95-1.

IT IS FURTHER ORDERED that United Water Idaho Inc. and all parties to Case Nos. EUW-W-94-1 and EAG-W-95-1 be permitted to file Statements of Position on or prior to January 5, 1996.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of  November 1995.

RALPH NELSON, PRESIDENT

MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

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