DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

TONYA CLARK

DON HOWELL

STEPHANIE MILLER

DAVE SCHUNKE

RANDY LOBB

RICK STERLING

DAVID SCOTT

WORKING FILE

FROM:SCOTT WOODBURY

DATE:DECEMBER 1, 1998

RE:CASE NO. EAG-W-98-1

BONITA HILLS SUBDIVISION

On January 14, 1998, V. Scott Brown, Trustee for the S. A. Brown Charitable Trust (Trust) filed a letter with the Idaho Public Utilities Commission requesting Commission approval of a Trust request to obtain water service from United Water Idaho Inc. to the Bonita Hills Subdivision, a planned subdivision owned by the Trust.  The Bonita Hills Subdivision is located within the certificated service territory of Eagle Water Company.  The Trust represented that Eagle Water Company, despite repeated requests, had failed to provide service to Bonita Hills.

The Commission processed the Trust filing as a Complaint against Eagle Water Company, Case No. EAG-W-98-1.  Summons issued January 22, 1998.  An Answer was filed February 17, 1998.  An informal meeting of interested parties was held March 6, 1998 (see attached notice and agenda).  The meeting resulted in a commitment by Eagle Water to serve the Bonita Hills Subdivision and to provide required and related information, studies or plans to the Idaho Division of Environmental Quality (see attached memorandum).

At the complainant’s request, the docket in Case No. EAG-W-98-1 was held open to ensure that Eagle Water followed through on its commitment to provide water service to Bonita Hills.  Pursuant to inquiry, the Commission Staff has been informed by John Runft, Attorney for the Trust, that Eagle Water is now providing water service to Bonita Hills.  It appears also that there are no present disputes between the Trust and Eagle Water over which the Commission has jurisdiction.  (Reference Idaho Code Title 61).  Consequently, Mr. Runft and Staff agree that it is now appropriate for the Commission to issue an Order closing the case docket.

Commission Decision

This matter has been resolved without formal hearing.  Does the Commission concur that it is appropriate to close the docket in Case No. EAG-W-98-1?

Scott Woodbury

vld/M:EAG-W-98-1.sw2