

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

LEN AND KATHY KOCH,)	
)	CASE NO. FLS-W-12-02
COMPLAINANTS,)	
)	
v.)	
)	
FALLS WATER COMPANY, INC.,)	ORDER NO. 32575
)	
RESPONDENT.)	

On February 29, 2012, Leonard and Kathy Koch (“Complainants”) contacted Commission Staff to complain that Falls Water Company was overcharging them for a line extension to their property at 4335 N. Ammon Road, Idaho Falls (the “Property”). Informal resolution attempts did not succeed, and Complainants filed a formal complaint. On March 22, 2012, the Commission accepted the complaint and issued a Summons. The Company filed an answer on April 12, 2012.

Staff informs us that on April 17, 2012, Mr. Koch verbally notified Staff that Complainants had sold the Property on April 13, 2012. Mr. Koch later verbally told Staff that Complainants were withdrawing their complaint and that, per Staff request, they would send a written notice of withdrawal. *See* Rule 68 (party desiring to withdraw pleading must file a notice of withdrawal). To date, however, Complainants have not filed the notice. Staff says it has unsuccessfully attempted to contact Complainants several times to remind them to file written notice. Staff also obtained a copy of the deed, recorded April 13, 2012, conveying the Property to a new owner.

Based on this record, the Commission finds that Complainants no longer wish to proceed with their complaint. Therefore, the complaint shall be dismissed without prejudice.

ORDER

IT IS HEREBY ORDERED that the complaint is dismissed without prejudice.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in this case may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order or in interlocutory Orders previously issued in this case. 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 19th
day of June 2012.



PAUL KJELLANDER, PRESIDENT




MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

O:FLS-W-12-02_kk