

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF ALLOCATING THE** )  
**UNCERTIFICATED WATER SERVICE** ) **CASE NO. GNR-W-04-1**  
**TERRITORY IN THE VICINITY OF EAGLE,** )  
**IDAHO.** ) **NOTICE OF STIPULATION**  
) )  
) ) **NOTICE OF**  
) ) **MODIFIED PROCEDURE**  
) )  
) ) **NOTICE OF**  
) ) **COMMENT/PROTEST DEADLINE**

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**Background**

On October 14, 2004, the Commission issued Order No. 29610 addressing service territory issues raised by Eagle Water Company, Inc.'s ("Eagle Water") Application to Amend its Certificate of Public Convenience and Necessity in Case No. EAG-W-04-02. Following a comment period and oral argument, the Commission ultimately approved a settlement reached by Eagle Water and United Water Idaho Inc. ("United Water") to allocate the five parcels in question between the two companies. In regard to William and Ellene Parr's request for water service and the need for a comprehensive allocation of uncertificated territory in the growing community of Eagle, the Commission wrote:

We understand that the parties are working with William and Ellene Parr to determine if and how water service can be provided to their property. The Commission asks that the parties keep us informed as to the status of the Parrs' request for service. Finally, we open a new docket in Case No. GNR-W-04-1 to consider allocation of the uncertificated service territory in the Eagle area. The Commission directs Staff to establish workshops to work through the requisite issues of such an undertaking. Tr. at 17-18, 20-21.

Order No. 29610 at 3.

On November 19, 2004, a workshop to investigate issues related to the allocation of the uncertificated service territory in the Eagle area, including the property owned by William and Ellene Parr, was held in Boise, Idaho. What followed was an informal stay of proceedings to allow Eagle Water Company and United Water Idaho an opportunity to negotiate a proposed split of the uncertificated area.

On December 30, 2004, the Commission awarded intervenor status to the City of Boise in Case No. GNR-W-04-01. Order No. 29671.

**Stipulation and Proposed Allocation**

On January 4, 2007, United Water and Eagle Water filed a Joint Motion with the Commission requesting approval of a proposed Stipulation and division of the uncertificated territory. See Exhibit A attached. The proposed Stipulation and division is prompted by additional requests for service. The proposed division results in an approximately equal division of the uncertificated area. In consequence, potential customers within the area will be able to obtain service from the utility closest to their location, thus minimizing line extension charges for those potential customers.

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the filings of record in Case No. GNR-W-04-01. The Commission has preliminarily found that the public interest in this matter may not require a hearing to consider the issues presented and that issues raised by the Joint Motion and proposed Stipulation may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. Reference Commission Rules of Procedure, IDAPA 31.01.01.201-204.

YOU ARE FURTHER NOTIFIED that the **deadline for filing written comments or protests** with respect to the Joint Motion and proposed Stipulation and the use of Modified Procedure in Case No. GNR-W-04-01 is **Friday, February 9, 2007**.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the deadline, the Commission may consider the matter on its merits and may enter its Order without a formal hearing. If comments or protests are filed within the deadline, the Commission will consider them and in its discretion may set the matter for hearing or may decide the matter and issue its Order based on the written positions before it. Reference IDAPA 31.01.01.204.

YOU ARE FURTHER NOTIFIED that written comments concerning Case No. GNR-W-04-01 should be mailed to the Commission, United Water Idaho Inc., Eagle Water Company and the City of Boise at the addresses reflected below.

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

Street Address for Express Mail:

472 W. Washington Street  
Boise, ID 83702-5983

For United Water Idaho:

Dean J. Miller  
McDevitt & Miller, LLP  
420 West Bannock Street  
PO Box 2564 (83701)  
Boise, ID 83702  
E-mail: [Joe@mcdevitt-miller.com](mailto:Joe@mcdevitt-miller.com)

For Eagle Water Company:

Molly O'Leary  
Richardson & O'Leary, PLLC  
515 N. 27th Street  
Boise, ID 83702  
E-mail: [molly@richardsonandoleary.com](mailto:molly@richardsonandoleary.com)

For City of Boise:

Charles R. Mickelson, P.E.  
Director Public Works Department  
City of Boise  
150 N. Capitol Boulevard  
PO Box 500  
Boise, ID 83701-0500  
E-mail: [jquinn@cityofboise.org](mailto:jquinn@cityofboise.org)

All comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to United Water, Eagle Water and the City of Boise at the e-mail addresses listed above.

YOU ARE FURTHER NOTIFIED that the filings in Case No. GNR-W-04-01 may be viewed at [www.puc.idaho.gov](http://www.puc.idaho.gov) by clicking on "File Room" and "Water Cases," or can be viewed during regular business hours at the Idaho Public Utilities Commission, 472 West Washington Street, Boise, Idaho and the general business offices of United Water Idaho Inc., 8248 West Victory Road, Boise, Idaho and Eagle Water Company, 846 North Eagle Road, Eagle, Idaho.

NOTICE OF STIPULATION  
NOTICE OF MODIFIED PROCEDURE  
NOTICE OF COMMENT/PROTEST DEADLINE

DATED at Boise, Idaho this

17<sup>th</sup>

day of January 2007.



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Jean D. Jewell  
Commission Secretary

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