BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF BITTERROOT WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY. | )  )  )  )  )  )  )  ) | CASE NO. GNR-W-95-2  NOTICE OF APPLICATION  NOTICE OF MODIFIED PROCEDURE  ORDER NO. 26235 |

YOU ARE HEREBY NOTIFIED that on October 24, 1995, Bitterroot Water Company, Inc. (Bitterroot), a new public utility, filed an Application for a Certificate of Public Convenience and Necessity with the Commission.  Bitterroot is a for-profit Idaho corporation that provides water to homeowners of the Silver Meadows Subdivision in Kootenai County, Idaho.  The Silver Meadows Subdivision is located approximately fifteen miles north of Coeur d’Alene.  Bitterroot owns and operates one well with approximately 100 gallons per minute capacity and has contracted for additional water from a second nearby well.  There are 52 potential customers in the Silver Meadows Subdivision.  Presently there are seven homeowners being served by Bitterroot with 32 lots ready to sell.

YOU ARE FURTHER NOTIFIED that Bitterroot has not proposed any customer rates for water service.  Bitterroot intends to file proposed rates after the Commission Staff has completed its initial audit of the Company.  Consequently, this Notice concerns the issuance of a Certificate of Public Convenience and Necessity.  The Commission shall establish fair and reasonable rates later in this proceeding.

YOU ARE FURTHER NOTIFIED the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission’s Rules of Procedure, IDAPA 31.01.01.201-.204.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission by November 20, 1995.  The Commission seeks comments addressing the financial ability of Bitterroot and the necessity of water service in the Silver Meadows Subdivision pursuant to Idaho Code §§ 61-526 to -528.  Persons desiring a hearing must specifically request a hearing in their written comments.  Written comments concerning this application shall be mailed to the Commission and the Applicant at the addresses reflected below:

COMMISSION SECRETARYBitterroot Water Company, Inc.

IDAHO PUBLIC UTILITIES COMMISSIONc/o Norman L. Gissel

PO BOX 837201424 Sherman Ave., Ste. 100

BOISE, IDAHO  83720-0074Coeur d’Alene, ID  83814-4045

Street Address for Express Mail:

472 W WASHINGTON ST

BOISE, IDAHO  83702-5983

These comments should contain the case caption and case number shown on the first page of this document.

YOU ARE FURTHER NOTIFIED that if no written comments are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing.  If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that Bitterroot’s Application and articles of incorporation have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices.  Idaho Code § 61-528.  The Application is also available for review at Norman Gissel’s office, 1424 Sherman Ave., Ste. 100, Coeur d’Alene, Idaho, the attorney for Bitterroot Water Company, Inc. .

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission’s jurisdiction under Title 61 of the Idaho Code and specifically, Idaho Code §§ 61-526 and -528.  The Commission may enter any final Order consistent with its authority under Title 61.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01.000 et seq.

O R D E R

IT IS HEREBY ORDERED that Bitterroot’s Application for a Certificate of Public Convenience and Necessity be processed under Modified Procedure.  Interested persons are invited to file written comments on the necessity of water service by November 20, 1995.

IT IS FURTHER ORDERED that the rates for Bitterroot’s water service shall be set in subsequent proceedings in this case.

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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