(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE INVESTIGATION INTO WHETHER VALLEY VIEW SUBDIVISION, INC. IS A PUBLIC UTILITY SUBJECT TO COMMISSION REGULATION | )  )  )  )  )  )  )  )  )  )  ) | CASE NO. GNR-W-96-1  AMENDED NOTICE OF HEARING  AMENDED NOTICE OF SCHEDULING  ORDER NO.  27085 |

On May 27, 1997, the Commission issued a Notice of Hearing and Notice of Scheduling for Case No. GNR-W-96-1.  The Commission set deadlines for filing direct testimony due on July 18, rebuttal testimony due on August 8, and a hearing for August 20, 1997, in Kamiah, Idaho.  On July 16, 1997, Valley View Subdivision, Inc. (Valley View) filed a letter with the Commission requesting that the technical hearing set for August 20 be continued until late September or early October 1997.  Valley View also requests that the prehearing submission dates be moved to a later time commensurately with postponing the hearing.   To date Staff is the only party to file direct testimony in this case.

Valley View requests a continuance because it is negotiating with a local and newly formed water and sewer district (Water District) that has expressed an interest in purchasing the water system.  Valley View indicates that it is making a bona fide offer to sell the system and is committed to make the necessary efforts to bring the negotiations to closure.

The Water District indicated in its reply to Valley View’s Motion that negotiations are continuing, however, did not take a position on the Motion to Continue but rather left it up to Commission discretion.  John Tait, an attorney representing the intervenor, Mernita McDonald, concurred with the Water District’s reply to leave the decision to Commission discretion.

Staff did not oppose the Motion to Continue, however, points out this case has been in limbo for at least two years due to continuing negotiations.  Staff recommends that a date certain be set immediately for the hearing and prefile dates.

Given that there is no opposition by the parties in this case to the request for continuance, we find it reasonable to grant the continuance and adopt the following schedule.

AMENDED NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that the Commission will convene a technical hearing in this matter commencing at 10:00 AM WEDNESDAY OCTOBER 15, 1997 AT THE CLEARWATER MOTEL, HIGHWAY 12 AT CEDAR, KAMIAH, IDAHO.  The purpose of this hearing will be to take technical evidence by Staff and other parties to this case.

YOU ARE FURTHER NOTIFIED that the Commission will also convene a hearing on the evening of.October 15 to allow members of the public to appear and to make statements on the record concerning the issues in this case, COMMENCING AT 7:00 PM AT THE SAME LOCATION AS THE TECHNICAL HEARING .

YOU ARE FURTHER NOTIFIED that parties shall adhere to the following amended schedule:

Wed. Sept. 15, 1997Deadline for Company and Intervenors to submit prefiled direct testimony.

Wed. Oct. 1, 1997Deadline for parties to submit Rebuttal testimony.

  YOU ARE FURTHER NOTIFIED that prepared testimony and exhibits of all parties must be served upon the Commission and all parties of record should be received no later than the dates specified above.  The prepared testimony and exhibits must conform to the requirements of Rules 266 through 267 of the Commission Rules of Procedure IDAPA 31.01.01.266-267.

YOU ARE FURTHER NOTIFIED that workpapers, testimonies, exhibits, and other documents that have been filed with the Commission are available for public inspection during regular business hours at the Commission offices.

YOU ARE FURTHER NOTIFIED that all hearings and prehearing conferences in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act.  Persons needing the help of a sign language interpreter or other assistance of the kind that the Commission is obligated to provide under the Americans with Disabilities Act in order to participate in or to understand the testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing.  The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION

PO BOX 83720

BOISE, IDAHO  83720-0074

(208) 334-0338  (TELEPHONE)

(208) 334-3151  (TEXT TELEPHONE)

(208) 334-3762  (FAX)

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 that 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 the request for continuance is granted.  Parties shall adhere to the amended schedule as outlined above.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of August 1997.

                                                                                                                                      DENNIS S. HANSEN, PRESIDENT

                                                                                           RALPH NELSON, COMMISSIONER

MARSHA H. SMITH, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

vld/O:GNR-W-96-1.sh2

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

August 5, 1997