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

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

On March 14, 1994, the Commission received a Petition, signed by approximately 35 customers, requesting an investigation into whether Valley View Subdivision Inc. (Valley View; Company) is operating as a public utility subject to Commission regulation.  Valley View operates the water and sewer system located within Valley View Subdivision 2 miles east of Kamiah, Idaho on U.S. Highway 12.  Valley View provides water to approximately 45 homeowners within the subdivision.  Mr. John Jasper is one of the original developers of the subdivision and currently the controlling officer of the Company. The Petitioners claim the rates are too high, the rate increases are excessive and arbitrary, and there are unreasonable restrictions on water usage.

In 1994, Commission Staff began an investigation of Valley View to determine if it is a public utility subject to Commission regulation.  Midway through Staff’s investigation, the homeowners organized to form a water and sewer district in hopes of purchasing the water system from Mr. Jasper.  On March 14, 1995, the homeowners filed a petition in District Court for approval of a water and sewer district.  On December 20, 1995, the District Court signed an Order establishing Valley View Water and Sewer District (Water District).   Because the homeowners had taken serious steps to organize a water and sewer district, and at the request of both parties, the Commission postponed designating the complaint as a formal case and Staff interrupted its investigation.

In the spring of 1996, the Commission received additional phone calls and letters from customers complaining of an additional rate increase and poor water quality.  On June 11, 1996, in Order No. 26487, the Commission opened an investigation into whether Valley View is a public utility subject to Commission regulation.  During the past several months, Commission Staff investigated the Valley View water system.  On February 10, 1997, Staff submitted its report to the Commission.  The report describes in detail the water system, costs incurred by Valley View in operating the water system as well as the rate history of the water system. Staff’s report concluded that Valley View is a public utility subject to Commission regulation and recommended four alternative rate structures.

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that the Commission shall convene a technical hearing in this matter to commence at 10:00 A.M. ON WEDNESDAY, AUGUST 20, 1997, CLEARWATER 12 MOTEL, HIGHWAY 12 AT CEDAR, KAMIAH, IDAHO. The purpose of this hearing will be to take technical evidence by the Staff and other parties in this case.

YOU ARE FURTHER NOTIFIED that a public hearing will convene the evening of WEDNESDAY, AUGUST 20, 1997, AT 6:30 P.M. AT THE CLEARWATER 12 MOTEL, HIGHWAY 12 AT CEDAR, KAMIAH, IDAHO. The purpose of the public hearing is for interested persons of the public to appear and to make statements on the record concerning the issues in the case.

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

June 20, 1997 Deadline for Intervention

July 18, 1997Deadline for parties to submit prefiled direct testimony

August 6, 1997Rebuttal testimony from parties

August 20, 1997 Hearing in Kamiah, Idaho

YOU ARE FURTHER NOTIFIED that discovery remains available in Case No. GNR-W-96-1 pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01.221-234.

   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 persons desiring to intervene in this matter for the purpose of presenting evidence or cross-examining witnesses at hearing must file a Petition to Intervene with the Commission pursuant to this Commission's Rules of Procedure 72 and 73, IDAPA 31.01.01.072 and -.073.  Persons intending to participate at the hearing must file a Petition to Intervene on or before June 20, 1997.  Persons desiring to present their views without parties' rights of participation and cross-examination are not required to intervene and may present their comments without prior notification to the Commission or the parties.

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.

DATED at Boise, Idaho this day of May 1997.

Myrna J. Walters

Commission Secretary

CM/N-gnrw961.sh1

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

May 27, 1997