BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE PETITION OF MR. AND MRS. HAROLD McKIM’S REQUEST FOR A VARIANCE FROM HAYDEN PINES WATER COMPANY’S HOOK-UP TARIFF. | )))))) | CASE NO. HPN-W-95-1ORDER NO.  26241 |

Mr. and Mrs. Harold McKim (McKim) petitioned the Commission for a variance of Hayden Pines Water Company’s (Hayden Pines) tariff schedule for hookup fees.  McKim owns two contiguous lots in the Mountain View Terrace mobile home subdivision in Post Falls, Idaho.  The lots are located within the service area of Hayden Pines.  In the summer of 1994, McKim placed another mobile home on the lot next to his residence and connected this new mobile home to the supply line serving his home.  McKim did not pay the required $500 hookup fee for the second home.  Hayden Pines subsequently requested a hookup fee for the second dwelling.  McKim requested a variance from the hookup fee requirement.  By this Order, the Commission denies the request for a variance.

BACKGROUND

 In the summer of 1994, McKim added a second mobile home (second home) to the lot next to his original home.  He extended a water line from his original home to the second home.  The water supplying both homes is measured through one meter.  McKim never paid a water supply hookup fee for this second home, contending the second home was temporary and would soon be moved off the lot.  After one year this second home still remains on the lot and is still connected to Hayden Pines water supply.

In August of 1994, Hayden Pines discovered that McKim had two homes connected to one water supply line and one meter.  At that time, Hayden Pines sought an additional $500 hookup fee for the second home.  When McKim refused to pay the hookup fee, Hayden Pines informally asked the Commission Staff what the proper hookup fee charge was when two mobile homes were connected to one meter.  On June 1, 1995, Staff wrote Hayden Pines an informal letter interpreting its hookup fee tariff.  After reviewing the tariff, Staff advised Hayden Pines that each mobile home is a separate dwelling unit, thus collecting a hookup fee and meter fee for each mobile home was proper.

On June 19, 1995, Hayden Pines again billed McKim the $500 hookup fee for the second home based upon its tariff.  On October 19, 1995, McKim submitted a letter petitioning the Commission for a variance of Hayden Pines’ hookup fee tariff.  McKim offered to pay the $500 hookup fee, but requested a refund if the second mobile home unit is moved within the next year.

DISCUSSION AND FINDINGS

Idaho Code § 61-304 requires public utilities to file with the Commission tariffs showing the rates to be charged for providing utility services.  Hayden Pines has filed Tariff No. 281 with the Commission and these tariffs have been approved.  Hayden Pines’ Tariff No. 281 provides that a hookup fee of $500 will be charged for each residential dwelling.  Hayden Pines Tariff No. 281, Hookup Fee Schedule (1993).  Residential dwelling is defined as a single structure and applies to each mobile home unit.  Premise owners with one or more mobile homes are held responsible for the entire water charged.   The tariffs also require that all services to individual customers shall be metered.  The installation charge for one inch or smaller meters is $300.  Hayden Pines Tariff No. 281, Meter Fee Schedule (1985).

Upon fully reviewing the record, the Commission believes that Hayden Pines’ tariffs, under these circumstances, requires a hookup fee.  McKim has been using the water from  Hayden Pines utility as a new customer for the second home for over a year.  Both mobile homes are connected to the water supply.   Therefore, we find that a $500 non-refundable hookup fee should be collected for the second mobile home in accordance with the company’s tariffs.

  Based on the tariffs, we further find that McKim should pay the meter hookup fee if the second home remains.  The reasons for individual lines to homes are for safety, monitoring and state compliance regulations.  The Company installs approved lines and maintains the quality of the lines to protect the integrity of the entire system, thus maintaining the safety for all users.  Individual lines and metering allow each dwelling to pay for the water actually consumed.  Finally, utility companies must comply with the Idaho Department of Environmental Quality’s health and zoning regulations which includes maintenance of water lines to homes.

McKim has indicated that the second home will be moved by the end of the year.  If the home is not moved by May 1, 1996, we find that the tariff requires McKim to pay $300 for meter installation and Hayden Pines shall construct a new service line to the second home and install a meter.   Therefore, we find no compelling reason to grant a variance from Hayden Pines’ tariff for meter installation.

O R D E R

IT IS HEREBY ORDERED that the McKims’ petition for a variance from Hayden Pines’ tariffs is denied.  Hayden Pines is directed to assess a $500 non-refundable hookup fee as required in its tariffs.

IT IS FURTHER ORDERED that if McKim has not removed the second home by May 1, 1996, Hayden Pines shall construct new service lines to the second home and install a meter.   A meter installation fee of $300 will also be assessed at that  time.

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 No. HPN-W-95-1 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 No. HPN-W-95-1.  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                  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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