

✓ Ben Ask  
sent 9/11/08

✓ To AV.

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**Jean Jewell**

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**From:** westonscottdavis@hotmail.com  
**Sent:** Tuesday, September 09, 2008 2:18 PM  
**To:** Jean Jewell; Beverly Barker; Gene Fadness; Ed Howell  
**Subject:** PUC Comment Form

A Comment from Weston Davis follows:

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Case Number: ROC-W-08-01  
Name: Weston Davis  
Address: 4 N. Birch Cir  
City: Rigby  
State: Idaho  
Zip: 83442  
Daytime Telephone: 208.745.8668  
Contact E-Mail: [westonscottdavis@hotmail.com](mailto:westonscottdavis@hotmail.com) Name of Utility Company: Rocky Mountain Utility Co.  
Add to Mailing List:  yes

Please describe your comment briefly:

I am concerned by the itemized charges Rocky Mountain Utility Company is proposing to recover as a basis for its request of \$42.50 a month. Of foremost concern is that raised by IDAPA 31.36.01.103 Presumptions of Contributed Capital, where it is presumed the capital investment in plant associated with the system is deemed to be contributed, and non-recoverable by the company.

In the protective covenants of the subdivision Section 4.6 the subdivider recognized this principle by stating: 'All lots shall have a central water and sewer system provided by the Developer and included as part of the lot.' However, pages 23 - 26 of Rocky Mountain's 05/13/08 application show the company is working against the covenants and regulatory presumption of contributed capital, because it seeks to recover the cost of contributed capital for the water system. These attempts to recover contributed capital are labeled 'Refurbish Costs', 'Depreciation net of refurbish costs', 'General repair services', and 'Emergency.' These costs to recover the cost of the water system make up a large share of the proposed expenses and are impermissible, as we have already paid for the system as part of our lot. As a result, the utility company's request should be reduced by its attempts to recover capital contributions.

The utility company also mentions in its application that it requires \$3,900.00 a year to maintain its park. However, during the whole summer it has only mowed the lawn two or three times. It appears this is another attempt to use a utility company to recover a capital expenditure of providing a park, instead of a recovering a legitimate utility expense.

Additionally, this company runs a sewer company for the subdivision. While I understand you do not currently regulate sewage, the sewage utility company has shared office expenses with the water utility, which should be considered in reducing the water utility's labor, staffing and other reported costs. Failure to do so may result in a double recovery of several expenses by running both a water and sewer utility company.

Further, I am aware that eight residences in the subdivision were just occupied last month and that another eight residences will soon be completed and occupied. The increase in occupants should reduce and distribute the burden of the cost on the number of residents stated in the application.

Several of the occupants of the subdivision are young families and older couples on a limited budget. We would appreciate your close attention and consideration to these issues.

The form submitted on <http://www.puc.idaho.gov/forms/ipuc1/ipuc.html>  
IP address is 75.174.58.90

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