

DECISION MEMORANDUM

**TO: COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSIONER KEMPTON
COMMISSION SECRETARY
COMMISSION STAFF**

**FROM: KRISTINE SASSER
DEPUTY ATTORNEY GENERAL**

DATE: JUNE 4, 2008

**SUBJECT: ROCKY MOUNTAIN UTILITY COMPANY'S APPLICATION FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, CASE
NO. ROC-W-08-01**

On May 13, 2008, Rocky Mountain Utility Company, Inc. filed an Application for a Certificate of Public Convenience and Necessity seeking authority to provide water service as a public utility near Rigby, Idaho. The Application states that the water system is currently providing water to 38 residential customers.

THE APPLICATION

Although Rocky Mountain Utility Company is only currently serving 38 residential customers, the Application states that the water system has the capacity to serve 255 users. Based on the system's capacity, the Company requests authorization to provide water to not only the existing Pepperwood Crossing subdivision, but also three additional subdivisions not yet completed.

The Company is requesting a monthly flat rate of \$42.00 per customer. The Application specifies that the Company wishes this rate to be effective beginning July 1, 2008. In the interim, the Company requests a flat rate of \$28.50 per customer. Rocky Mountain Utility currently charges nothing for the use of its water.

The Company is incorporated under the laws of the State of Idaho. The Application states that the water system has been approved by the Idaho Department of Environmental Quality. The Company identifies Jim Bernard as its registered agent for service of process.

STAFF RECOMMENDATION

Staff recommends that the Commission issue a Notice of Application and set a deadline for intervention. Although the Company has not requested a preference for the processing of its Application, Staff recommends that the Application be processed by Modified Procedure. Staff further recommends suspension of the Company's requested July 1 effective date for its \$42.00 monthly rate. Finally, Staff recommends approval of the proposed interim rate. Once the Commission Secretary issues a Notice of Parties, the parties can meet informally to establish a schedule for processing this case.

COMMISSION DECISION

1. Does the Commission wish to issue a Notice of Application including a deadline for intervention?
2. Does the Commission find that the public interest may not require a hearing to consider the issues presented, and that this proceeding may be processed under Modified Procedure?
3. Does the Commission wish to suspend the Company's proposed effective date of July 1, 2008, pursuant to *Idaho Code* § 61-622, to allow adequate time (30 days plus 5 months) for processing?
4. Does the Commission wish to authorize the Company to charge an interim flat rate of \$28.50 per month, until such time as permanent rates and charges are set by Order of the Commission?
5. Anything else?



Kristine Sasser
Deputy Attorney General

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