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IDAHO PUBLIC UTILITIES COMMISSION

Attorneys for Petitioner Eagle Water Customer Group

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE JOINT
 APPLICATION OF SUEZ WATER IDAHO
 AND EAGLE WATER COMPANY FOR
 THE ACQUISITION OF EAGLE WATER
 COMPANY

CASE NOS. SUZ-W-18-02
 EAG-W-18-01

**EAGLE WATER CUSTOMER GROUP'S
 RESPONSE TO SUEZ WATER IDAHO
 INC.'S ANSWER TO PETITIONS TO
 INTERVENE**

COMES NOW Petitioner Eagle Water Customer Group ("EWCG" or the "Group"), by and through its counsel of record, and hereby responds to SUEZ Water Idaho Inc.'s Answer to Petitions to Intervene filed January 3, 2019 ("SUEZ Answer"), as follows.

SUEZ does not formally oppose EWCG's Petition to Intervene ("Petition") (SUEZ Answer at 4) and did not file a motion in opposition, as would be required to oppose a petition to intervene. Idaho Public Utilities Rules of Procedure ("RP") 75. Rather, SUEZ suggests that EWCG's Petition to Intervene should be granted conditionally, subject to a later determination as whether the intervention is in the public interest. SUEZ Answer at 5. There is no reasonable basis to impose such a condition on EWCG's intervention.

EWCG's Petition to Intervene meets all of the requirements required by the Commission's Rules of Procedure. It sets forth a direct and substantial interest, that being, among other things,

the interest that the ratepayer members of EWCG have in the proposed rate increases for Eagle Water customers of more than 200% for residential customers and 300% for commercial customers. Petition at 2. EWCG's participation would not unduly broaden the issues beyond those already brought before the Commission by the Joint Application, the direct testimony and exhibits of the Applicants, the Notice of Application, and the written comments that have been submitted. *Id.* And the petition to intervene is certainly timely. *Id.* at 3. As a result, the petition satisfies the standard for intervention set forth in the Rules. In addition, by rule, all intervenors are subject to being dismissed later in the proceeding if it appears to the Commission that the intervenor has no direct or substantial interest in the proceeding or that the intervention is not in the public interest. RP 74. There is therefore no reason to add this as a specific condition.

SUEZ poses questions regarding the class of ratepayers EWCG seeks to represent, how it will contribute to relevant issues in a manner distinct from other proposed intervenors, and "at least some overlap" between EWCG's membership and that of another proposed intervenor. None of these questions are relevant to the pending petition to intervene, but will be addressed briefly below.

EWCG's petition clearly states concerns about both the residential and commercial customer rate increases proposed by SUEZ. Petition at 2. As stated in its petition, EWCG is an unincorporated nonprofit association, formed to oppose and respond to the Joint Application, including the proposed rate increases, potential impacts on service, and other aspects of the public interest. *Id.* at 3. The Group is recognized under Idaho State Law and filed its Notice of Unincorporated Nonprofit Association Agent Appointment (attached hereto as Exhibit A) on January 2, 2019. EWCG is the only petitioner that has expressed outright opposition to the proposed acquisition by SUEZ. Petition at 2. EWCG has established a Facebook group

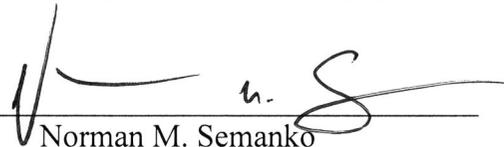
(www.facebook.com/groups/EagleWaterCustomers/) for its members and others who may wish to join EWCG. As advertised on its Facebook page, the Group will also be holding a meeting at the Eagle Public Library on Saturday, January 12. While no surprise that EWCG's membership may overlap with that of other groups and that its members are residents of the City of Eagle, that does not change EWCG's nonprofit purpose of opposing the acquisition and participating in the Commission's proceedings. The interests of the Group are clear and relate directly to this proceeding. It is certainly in the public interest to allow intervention by the Group, as it actively engages in the Commission process on behalf of its members and seeks to keep its members and other Eagle Water ratepayers, taxpayers and interested citizens informed of the process. The questions raised by SUEZ regarding potential intervening funding are at best premature and must await the separate filing of such petitions, later in the proceeding, pursuant to RP 161-65.

For the foregoing reasons, and those presented in EWCG's Petition to Intervene, EWCG should be granted unconditioned intervention to participate fully in this matter.

DATED this 7th day of January, 2019.

PARSONS BEHLE & LATIMER

By:

A handwritten signature in black ink, appearing to read "Norman M. Semanko", is written over a horizontal line. The signature is stylized and cursive.

Norman M. Semanko
Attorneys for Eagle Water Customer Group

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following on this 7th day of January, 2019 by the following method:

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Commission Secretary
Idaho Public Utilities Commission
472 West Washington Street
Boise, ID 83702
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secretary@puc.idaho.gov
diane.hanian@puc.idaho.gov

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- U.S. Certified Mail, Postage Prepaid
- Federal Express
- Hand Delivery (of orig for filing)
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Joint Applicant

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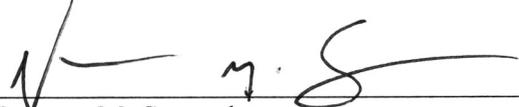
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Stan Ridgeway, Mayor
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sbergmann@cityofeagle.org
Petitioner

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Norman M. Semanko

EXHIBIT A



0003382888



STATE OF IDAHO

Office of the secretary of state, Lawrence Denney

UNINCORPORATED NONPROFIT ASSOCIATION AGENT

APPOINTMENT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

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SECRETARY OF STATE
STATE OF IDAHO

1. The name of the unincorporated nonprofit association is: EAGLE WATER CUSTOMER GROUP	
2. The complete street address of the principal office is: Principal Office Address	8770 W. CHAPARRAL RD. EAGLE, ID 83616
3. The mailing address of the principal office is: Mailing Address	None
4. Registered Agent Name and Address Registered Agent	NORMAN M SEMANKO Registered Agent Physical Address 800 W MAIN ST., SUITE 1300 BOISE, ID 83702 Mailing Address
5. Required Agent Manual Signature Registered Agent Signature: Date Signed:	<i>N M S</i> 1/2/19
Member Signature: Signature of a member of the nonprofit association: Date Signed:	<i>Shelley Brock</i> 12/28/18