

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF TERRA GRANDE WATER FOR) CASE NO. TGW-W-05-02
APPROVAL OF TARIFF SCHEDULE)
NUMBER 2 AND 3 FOR NEW SERVICE) NOTICE OF APPLICATION
CONNECTIONS AND RECONNECTION)
FEES) NOTICE OF MODIFIED
) PROCEDURE
)
) ORDER NO. 29809
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On May 24, 2005 Terra Grande Water submitted Tariff Schedules No. 2 and No. 3 regarding new service connections and reconnection fees respectively. With this Order the Commission authorizes Schedule No. 2 to be processed as a tariff advice, and hereby suspends the effective date of such to June 29, 2005. Additionally, the Commission by this Order authorizes the use of Modified Procedure for Schedule No. 3, and suspends the effective date to August 15, 2005 or such earlier time as the Commission may issue an Order accepting, rejecting, or modifying the Application in this matter.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that on May 24, 2005 the Commission received by letter Tariff Schedules No. 2 and No. 3 from Terra Grande Water. Tariff Schedule No. 2 deals with new service connections to the Company's system, and generally states that the Company will be responsible for the completion of a new service connection and the customer will be responsible for paying the actual cost of completing the connection. The Company stated that this Schedule was submitted because: 1) the Company does not currently have a schedule detailing charges for new connections; 2) the Commission Staff has recently informally recommended that without such a Schedule the Company must install new connections at its own costs pending a rate case; and 3) the Company wishes to retain control of the method of installation for new water service connections.

YOU ARE FURTHER NOTIFIED that Tariff Schedule No. 3 deals with reconnection fees. This schedule proposes a reconnection fee of \$65.00 during the office hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, and \$100.00 for after hours reconnections.

The Company states that this Schedule was submitted because the Company does not currently have a schedule detailing charges for reconnection fees.

YOU ARE FURTHER NOTIFIED that the Company requested both Schedules be effective as of the date of filing because, as a small water company with a small customer base, it cannot afford to absorb the immediate financial hit it will take if it must perform these services without a means to recover its costs. Additionally, the Company stated that notice of these proposed new charges was to be provided to its customers at the time of its billing on or around June 1, 2005. The proposed Notice was attached to the transmittal letter received by the Commission on May 24, 2005.

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the Company's filings. The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case and that issues raised by the Company's filing may be processed under **Modified Procedure** for Tariff Schedule No. 3 (i.e., by written submission rather than by hearing) IDAPA 31.01.01.201-204, and by Tariff Advice procedure for Tariff Schedule No. 2. IDAPA 31.01.01.134. In so doing, the Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that the Commission may not hold a hearing in this proceeding unless it receives written protests or comments opposing the use of Modified Procedure and stating why Modified Procedure should not be used. IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that if no protests or written comments are received within the deadline, the Commission will consider the matter and enter its Order without a hearing. If protests or comments are filed within the deadline, the Commission will consider them and may, in its discretion, set the matter for hearing or decide the matter and issue its Order on the basis of the written positions before it. IDAPA 01.01.01.204.

NOTICE OF COMMENT/PROTEST DEADLINE

YOU ARE FURTHER NOTIFIED that **the deadline for filing written comments or protests** with respect to the Application and the Commission's use of Modified Procedure in Case No. TGW-W-05-02 **is 21 days from the service date of this Order**. Persons desiring a hearing must specifically request a hearing in their written protests or comments.

YOU ARE FURTHER NOTIFIED that written comments concerning this case should be mailed to the Commission and to Terra Grande Water at the addresses reflected below.

<p>Commission Secretary Idaho Public Utilities Commission PO Box 83720 Boise, ID 83720-0074</p> <p>Street Address For Express Mail: 472 W. Washington Street Boise, ID 83702-5983</p>	<p>For Terra Grande Water:</p> <p>John R. Hammond Batt & Fisher LLP 101 S. Capital Blvd., Suite 500 Boise, ID 83701</p> <p>e-mail: jrh@battfisher.com</p> <p>Barbara V. Child 10012 Eshelman Street Boise, ID 83701</p> <p>e-mail: chinachild@cableone.net</p>
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These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's homepage located at www.puc.idaho.gov. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the address(es) listed above.

FINDINGS/CONCLUSIONS

The Idaho Public Utilities Commission has jurisdiction over Terra Grande Water, its Application, and the issues involved in this case by virtue of Title 61, *Idaho Code*, specifically *Idaho Code* §§ 61-124, 61-125, 61-129, and the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case, and that issues raised by the Company's filing may be processed under **Modified Procedure** (i.e., by written submission rather than by hearing) IDAPA 31.01.01.201-204, and by Tariff Advice. IDAPA 31.01.01.134. In so doing, the Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

ORDER

IT IS HERBY ORDERED that Tariff Schedule No. 3 shall be processed under Case No. TGW-W-05-02 by Modified Procedure with a 21-day comment period. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21-days from the service date of this Order. The effective date of Tariff Schedule No. 3 shall hereby be suspended to August 15, 2005, or until such earlier time as the Commission may issue an Order accepting, rejecting, or modifying the Application in this matter.

IT IS FURTHER ORDERED that Tariff Schedule No. 2 shall be processed as a Tariff Advice. The effective date of Tariff Schedule No. 2 shall hereby be suspended to June 29, 2005.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 23rd day of June 2005.



PAUL KJELLANDER, PRESIDENT



MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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