

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: NEIL PRICE
DEPUTY ATTORNEY GENERAL

DATE: NOVEMBER 23, 2011

SUBJECT: APPLICATION OF TETON SPRINGS WATER AND SEWER CO., CASE
NO. TTS-W-11-01

On September 27, 2011, Teton Springs Water and Sewer Co. LLC (“Teton Springs” or “Company”) filed an Application requesting authority to issue an assessment upon its customers in order to reimburse the Company for certain “capital repairs to the domestic wells which provide water to the customers of the utility necessitated by well failures in July and August, 2011.” *Application* at 2.¹

THE APPLICATION

“Teton Springs provides domestic water service in Teton County, Idaho to customers located within the Teton Springs Golf and Casting Club Planned Unit Development.” *Id.*

The Company’s Application included the following as attachments: a current copy of the Company’s approved rate tariffs, a copy of Teton Springs’ annual revenue requirement per Commission Order No. 30718, as well as invoices documenting the repair work undertaken by Teton Springs. *Id.* Teton Springs references language in the 2009 Commission Order contemplating that “Teton Springs may need to come before the Commission in the future for approval of an Assessment for large scale capital repair and replacement . . . or for any other major concerns outside the scope of regular operations and maintenance.” *Id.* In the Order, the Commission authorized the Company to establish an “Emergency Reserve Fund” with an

¹ The Company has requested an effective date of November 1, 2011. However, Applicant’s request does not fall under the scope of Commission Rule of Procedure 121 because the Application should not be viewed as a request to “increase, decrease, or change any rate” but rather a request to utilize existing funds derived from an “Emergency Reserve Fund” previously approved by the Commission in Order No. 30718.

“appropriate auditable account.” Order No. 30718 at 24, Appendix (p. 3 of 4). Teton Springs requests that the case be processed through Modified Procedure. *Application* at 3.

STAFF RECOMMENDATION

Staff has reviewed Teton Springs’ Application and has been corresponding with the Company’s General Manager, Mr. Jon Pinardi, in order to obtain additional records and documentation. Staff recommends that the Application be processed through Modified Procedure.

COMMISSION DECISION

Does the Commission wish to process Teton Springs’ Application through Modified Procedure with a Notice of Application and Modified Procedure and a 21-day comment period?



Neil Price
Deputy Attorney General

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