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IDAHO PUBLIC
UTILITIES COMMISSION

Express Mail:
1320 W. Franklin St.
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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF UNITED WATER IDAHO INC. FOR)
AUTHORITY TO INCREASE ITS RATES)
AND CHARGES FOR WATER SERVICE IN)
THE STATE OF IDAHO)
_____)

CASE NO. UWI-W-04-04

**IDAHO RIVERS UNITED'S PETITION FOR AMENDMENT OR
RECONSIDERATION OF ORDER 29838**

Pursuant to Rules of Procedure 326 and/or 331, Idaho Rivers United ("IRU") hereby petitions for amendment or reconsideration¹ of Order No. 29838 on the sole issue of whether United Water Idaho ("UWI") should be directed to renew its 1993 conservation plan. IRU does not seek a stay of any issue resolved by the Commission in Order No. 29838.

The question of whether UWI should prepare a new or revised conservation plan was largely undisputed between UWI, IRU, and Commission staff in this case. However, Order 29838 does not provide any guidance to UWI or other parties on conservation planning. "Good and sufficient reasons" exist to amend Order 29838 to address the issue of conservation planning. Rule of Procedure 326.01(b).

¹ Because the issue addressed in this Petition was not addressed in Order 29838, IRU submits that amendment of such Order may be the more appropriate procedural path.

ORIGINAL

SUPPORTING POINTS AND AUTHORITIES

The Commission should direct UWI to renew its conservation plan, as set forth in further detail below. More than ample testimony was filed in this case for the Commission to address the issue; and that testimony confirmed the need for UWI to update its conservation planning efforts and increase its investment in conservation programs. As UWI witness Scott Rhead described at hearing, it has been relatively difficult and expensive in 2005 for the Company to acquire sufficient water supplies to be assured of meeting its customers' needs. As stated in IRU witness Don Wojcik's direct testimony, water supplies are finite and subject to cycles of drought, but population growth continues to drive increased demand.

In rebuttal testimony, UWI agreed with IRU's request for an updated and renewed conservation planning effort: "The Company believes it should undertake the task of procuring an outside consulting firm to assist in developing a new comprehensive conservation plan, with the final plan and recommendations being submitted to the Commission for review." Wyatt Rebuttal at 18, lines 2-5.

Moreover, Commission Staff witness Rick Sterling supported preparation of a new and updated conservation plan:

Q: . . . [D]oes staff have a position on the development of a new and updated conservation plan for United Water?

A: Yes, I think I would support revisions or update to the plan. As far as I remember, the last conservation plan was in 1993, so it's probably quite outdated.

Transcript at 663 (lines 7-12).

Mr. Sterling also confirmed it would be feasible to have new conservation opportunities ready for implementation before summer 2006. Transcript at 663 (lines 18-25) and 664 (line 1).

Given the ongoing drought in Idaho, the increasing costs for water supplies from local water rental pools, the increasing difficulty in securing new or transferred water rights for municipal purposes, and UWI's very modest current conservation efforts (see Wojcik Direct Testimony at 12-14), IRU submits that the Company's "new comprehensive conservation plan" should be prepared with all due speed. Specifically, IRU requests that the plan be submitted to the Commission no later than December 15, 2005, so as to make additional conservation programs available for implementation by UWI customers prior to summer 2006. The plan should include recommendations for implementation of conservation programs, including rebate and retrofit incentives for water-saving devices, landscaping, or other measures; the plan should also evaluate educational programs on water conservation, as well as the potential to work with the City of Boise or other entities toward the establishment of water-saving regulatory measures. The plan should also evaluate and recommend to the Commission appropriate means of funding such programs.

CONCLUSION

IRU believes this modest first step toward boosting conservation efforts is fully reasonable and appropriate at this time. IRU respectfully requests the foregoing Petition be granted, and that the Commission order UWI to file a comprehensive conservation plan no later than December 15, 2005.

Dated: August 17, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. Eddie', written over a horizontal line.

William M. Eddie
Attorney for Idaho Rivers United

CERTIFICATE OF SERVICE

I certify that on this 17th day of August, 2005, I served true and correct copies of IDAHO RIVERS UNITED'S PETITION FOR AMENDMENT OR RECONSIDERATION OF ORDER 29838 on the parties listed below via the method of service noted.

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