

McDevitt & Miller LLP

Lawyers

420 W. Bannock Street
P.O. Box 2564-83701
Boise, Idaho 83702

(208) 343-7500
(208) 336-6912 (Fax)

Chas. F. McDevitt
Dean J. (Joe) Miller

April 26, 2006

Via Hand Delivery

Jean Jewell, Secretary
Idaho Public Utilities Commission
472 W. Washington St.
Boise, Idaho 83720

Re: Case No. UWI-W-06-02

Dear Ms. Jewell:

Enclosed for filing in the above matter please find the original and seven (7) copies of a Motion For Procedural Order.

An additional copy of the document and this letter is included for return to me with your file stamp thereon.

Very Truly Yours,

McDevitt & Miller LLP



Dean J. Miller

DJM/hh

APR 26 2006
10:58 AM
IDaho Public Utilities Commission

Dean J. Miller (ISB #1968)
McDEVITT & MILLER LLP
420 West Bannock Street
P.O. Box 2564-83701
Boise, ID 83702
Tel: 208.343.7500
Fax: 208.336.6912
joe@mcdevitt-miller.com

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MAY 11 2006 11:17
PUBLIC UTILITIES COMMISSION

Attorneys for United Water Idaho Inc.

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

Case No. UWI-W-06-02

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

**MOTION FOR PROCEDURAL
ORDER**

COMES NOW, United Water Idaho Inc., (“United Water”) and respectfully moves the Commission for an Order prohibiting the Intervenor BRACE from calling any witness at the hearing hereof who has not filed pre-filed written direct testimony as required by IPUCRP 266, and in support thereof, respectfully shows as follows:

I.

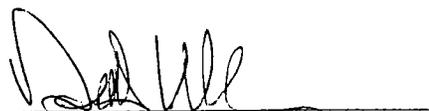
The Commission’s Notice of Scheduling dated March 29, 2006, establishes a deadline for the filing of Staff and Intervenor written direct testimony of June 2, 2006. The Notice, however, does not specifically state that filing pre-filed written direct testimony is a necessary pre-condition to testifying at hearing, perhaps because the custom and practice is so well understood it does not usually need to be stated specifically. Nonetheless, in this case, in order to avoid

confusion and surprise, the Commission should make explicit what is implicit in the notice—that filing pre-filed written testimony is a pre-condition to testifying as a witness at hearing.

II.

Pursuant to IPUCRP 256, BRACE has received actual notice of this Motion and United Water respectfully requests that the Commission act upon the Motion with less than fourteen (14) days notice.

DATED this 20 day of April 2006.



Dean J. Miller

Attorneys for United Water Idaho Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of April, 2006, I caused to be served, via the method(s) indicated below, true and correct copies of the foregoing document, upon:

Jean Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington Street
P.O. Box 83720
Boise, ID 83720-0074
jjewell@puc.state.id.us

Hand Delivered
U.S. Mail
Fax
Fed. Express
Email

Scott L. Campbell, Esquire
MOFFATT, THOMAS, BARRETT ROCK &
FIELDS, CHARTERED
P.O. Box 829
Boise, ID 83701

Hand Delivered
U.S. Mail
Fax
Fed. Express
Email

Heather Houle, Legal Asst.