

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION )  
OF UNITED WATER IDAHO INC. TO ) CASE NO. UWI-W-07-03  
AMEND AND REVISE CERTIFICATE OF )  
CONVENIENCE AND NECESSITY NO. 143 )  
(AS AMENDED) TO INCLUDE BRITANIA ) ORDER NO. 30352  
HEIGHTS )  
\_\_\_\_\_ )  
)**

On April 23, 2007, United Water Idaho Inc. (United Water; Company) filed an Application with the Idaho Public Utilities Commission (Commission) requesting authority to amend and revise its Certificate of Public Convenience and Necessity No. 143, as amended, to include an area located on McDermott Road in Canyon County, Idaho identified as Britannia Heights. Reference *Idaho Code* § 61-526; IDAPA 31.01.01.112. The Application of the Company includes a legal description and map of Britannia Heights.

Britannia Heights is located in the vicinity of United Water's existing Belmont Heights service area, an area non-contiguous to the Company's larger integrated system. Reference Case No. UWI-W-01-03, Order No. 28885. Britannia Heights will be developed in two phases. Phase 1 is designed for approximately 34 residential lots and Phase 2 is designed for approximately 105 residential lots. The water supply for Britannia Heights will come from two wells located in Belmont Heights. Both domestic water and fire protection will be provided from these wells. Lawn watering in Britannia Heights will be provided by an alternate irrigation source, not from United Water.

The developer of Britannia Heights, Patriot Capital Partners LLC, has requested that United Water extend domestic water service facilities to the area. As represented in the Company's Application, the proposed development of Britannia Heights is not within the authorized service territory of any other water utility under the jurisdiction of the Commission nor, it states, will it interfere with the operations of any such utility. United Water further contends that the City of Nampa, Idaho, a municipal water provider with facilities in the vicinity of Britannia Heights, has consented to service by United Water. United Water submits that the extension into this area is consistent with the public convenience and necessity.

Water service facilities will be extended to Britannia Heights pursuant to United Water's Rules and Regulations governing extensions. The area will be served by extending a 12-inch off-site water main approximately 3,425 feet from the Belmont Heights subdivision (1,580 feet Powerline Road, 1,845 feet McDermott Road). No other off-site facilities will need to be installed to provide service other than the associated 12-inch isolation valves. The developer will contribute all off-site and on-site facilities. No special facilities are required.

On May 9, 2007, the Commission issued Notices of Application and Modified Procedure in Case No. UWI-W-07-03. The deadline for filing written comments was June 8, 2007. Comments were filed by Commission Staff and the City of Nampa.

The requested expansion area lies within the City of Nampa's Area of Impact. However, the nearest Nampa municipal water facilities are located along Happy Valley Road, approximately 1-½ miles west of the proposed Britannia subdivision. The City does not currently provide water service in this area and consents to United Water providing water service to Britannia Heights.

Commission Staff recommends that the United Water Application for Certificate amendment be approved and that the Commission authorize United Water to construct facilities and extend service to Britannia Heights. Staff in its comments notes that under the Company's Rules and Regulations Governing Non-Contiguous Expansion, Britannia Heights, as a latecomer, may be required to reimburse the developer of Belmont Heights for some source of supply costs if the amount of the original advance by Belmont Heights has not yet been fully recovered. Reference United Water/Thueson Construction and Development (developer of Belmont Heights) August 1, 2001 Residential or Multiple Family Housing Water System Agreement.

***Commission Findings***

The Commission has reviewed the Company's Application and proposed Certificate amendment. We have also reviewed the comments and recommendations of Commission Staff and the letter of consent filed by the City of Nampa. We find that the Company's filing satisfies the statutory and procedural requirements for Certificate applications for existing utilities. *Idaho Code* § 61-526; IDAPA 31.01.01.112. The Commission is informed that there are presently no existing customers in the Britannia Heights Subdivision. We find that the public interest in this

matter does not require a hearing. The Commission finds it reasonable to issue an Order and process this Application without further notice or procedure.

We find that there are no known public utilities, persons or corporations with whom the proposed Certificate expansion is likely to compete. We find that United Water has the capability to provide water service to Britannia Heights. We find that the present and future public convenience will be served by issuance of an Amended Certificate of Public Convenience and Necessity to United Water for the requested area. We find it reasonable to approve the Application for Certificate Amendment and authorize construction of facilities and extension of service to Britannia Heights, a subdivision in Canyon County, Idaho.

### **CONCLUSIONS OF LAW**

The Commission has jurisdiction over United Water Idaho Inc., a water utility, and its Application in Case No. UWI-W-07-03 pursuant to its authority and power granted under Title 61 of the Idaho Code and the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

### **ORDER**

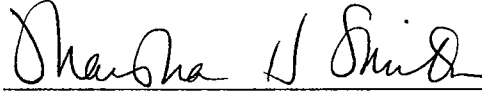
In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED that the Certificate of Public Convenience and Necessity No. 143 of United Water Idaho Inc. be amended to reflect the addition of that particular area described as Britannia Heights Subdivision Phase 1 and 2 in Canyon County, Idaho as reflected and more particularly described in Case No. UWI-W-07-03 Application Exhibits B and C (legal description and map). United Water Idaho Inc. is directed to prepare and file an amended Certificate conforming with the Commission's Order.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

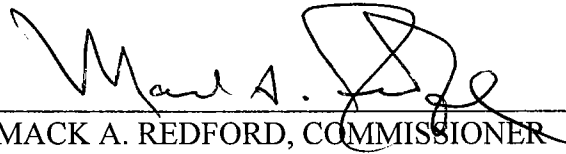
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 28<sup>th</sup>  
day of June 2007.



PAUL KJELLANDER, PRESIDENT

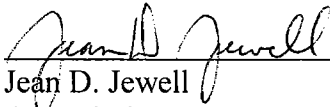


MARSHA H. SMITH, COMMISSIONER



MACK A. REDFORD, COMMISSIONER

ATTEST:



Jean D. Jewell  
Commission Secretary

bls/O:UWI-W-07-03\_sw