

McDevitt & Miller LLP

Lawyers

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420 W. Bannock Street

P.O. Box 2564-83701

Boise, Idaho 83702

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IDAHO PUBLIC UTILITIES COMMISSION

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

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

September 2, 2011

Via Hand Delivery

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

Re: UWI-W-11-03

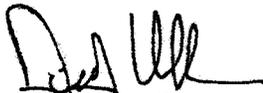
Dear Ms. Jewell:

Enclosed for filing in the above matter, please find an original and seven (7) copies of United Water Idaho Inc.'s Application.

Kindly return a file stamped copy to me.

Very Truly Yours,

McDevitt & Miller LLP



Dean J. Miller

DJM/hh
Encl.

ORIGINAL

Dean J. Miller (ISB No. 1968)
Chas. F. McDevitt (ISB No. 835)
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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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Applicant

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION
OF UNITED WATER IDAHO INC. FOR
AUTHORITY TO APPLY ABANDONED
DEPOSITS TO LOW INCOME
ASSISTANCE PROGRAM AND REQUEST
FOR MODIFIED PROCEDURE

Case No. UWI-W-11-03

**APPLICATION and REQUEST FOR
MODIFIED PROCEDURE**

COMES NOW United Water Idaho Inc. ("United Water" or "Company"), pursuant to IDAPA 31/21/01.110, and applies to the Commission for authority to pay unclaimed deposits to UW Cares, a low income assistance program which assists low income and disadvantaged customers with payment of bills, and in support thereof respectfully shows as follows, to wit:

I.

Beginning in September 2005, the Company initiated UW Cares, which is the first and only water utility customer assistance program in the State. The program, which is administered through the El-Ada Community Action Partnership social service organizations, currently provides up to \$50 in annual water bill assistance to qualifying customers. The program was initially designed such that the Company funded the program and would match customer contributions into the fund up to \$20,000 annually. Additionally, the Company provides the

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agencies with indoor water conservation kits for distribution and installation for qualified customers in the program. Since UW Cares began in the fall of 2005, more than \$74,000 in assistance has been provided to more than 1,600 qualified customers to help pay their water bills. In its currently pending general rate proceeding, United Water states that it is increasing the annual amount available per customer from \$50 to \$65 and removing the matching cap of \$20,000.

II.

Pursuant to its Rules and Regulations, United Water from time to time obtains deposits (Deposits) from third parties for the construction of water main extensions as the initial step in providing water service to the third party.

III.

Currently, the Company holds two Deposits related to the construction of subdivision water main extensions; projects which were abandoned by the developers prior to completion and prior to the water system assets being conveyed to the Company or placed in service. The Deposits were initially collected to cover the Company's inspection and overhead costs on the projects. The two Deposits are as follows:

- Project C07D310 Park Place Gardens, the depositor was L211-1D Shaunessey, LLC; the balance amount of the Deposit is \$80,878.48, and was made on January 31, 2007.
- Project C08D327 Catalpa Subdivision, the depositor was Hard Rock Construction, Inc; the balance amount of the Deposit is \$14,777.71, and was made on April 21, 2008.

IV.

The company has made diligent effort to return the deposits to the depositors, but has been unable to do so. The Deposits have been unclaimed for more than one year.

V.

The Commission's Utility Customer Relations Rule 110 provides:

"01. Presumption of Abandonment. Pursuant to Section 14-508, Idaho Code, any deposit or advance payment made to obtain or maintain utility service that is unclaimed by the owner for more than one (1) year after termination of service is presumed abandoned. (4-6-05)

02. Financial Assistance Program. A utility may apply to the Commission for approval to pay unclaimed deposits and advance payments presumed to be abandoned to a financial assistance program which assists the utility's low income and disadvantaged customers with payment of utility bills. The utility shall remain obligated to file its report of such abandoned property as required by Section 14-517, Idaho Code, and retain records as required by Section 14-531, Idaho Code."

VI.

The issuance of an Order authorizing United Water to pay the above referenced Deposits to UW Cares would be in the public interest because:

- At current levels of customer demand, the Deposits would provide funds sufficient to maintain the UW Cares program for several years;
- The Deposits would provide funds to enable expansion of the UW Cares program as circumstances in the future might warrant;
- If the Deposits were not transferred to the UW Cares program in the ordinary course of events the Deposits would escheat to the general fund of the State of Idaho.

VII.

Idaho Code §14-508(2) provides:

“The public utilities commission may certify that a utility is participating in a financial assistance program which assists the utility’s low income and disadvantaged customers with their utility bills. Upon certification to the administrator, the utility shall pay the funds which would have been presumed to be abandoned under subsection (1) of this section to the financial assistance program certified by the public utilities commission. The utility shall remain obligated to file its report of such abandoned property as required by section 14-517, Idaho Code. [I.C., § 14-508, as added by 1983, ch. 209, § 2, p. 563; a.m. 1997, ch. 399, § 5, p. 1262.]”

The “administrator” within the meaning of Idaho Code §14-508(2) is the Idaho State Tax Commission.

VIII.

United Water has engaged legal counsel to prepare and process this Application and United Water believes the estimated reasonable cost thereof to be \$5,000.

IX.

United Water believes that a hearing is not required to consider the matters presented in this Application, and requests that it be processed by Modified Procedure.

WHEREFORE, United Water respectfully requests that the Commission issue its Order:

1. Determining that this matter be processed by Modified Procedure;
2. Authorizing transfer of the Deposits, net of reasonable costs of this proceeding, to the dedicated UW Cares account;
3. Certifying to the Idaho State Tax Commission that United Water participates in a financial assistance program which assists the utility’s low income and disadvantaged customers with their utility bills;
4. Granting such other and further relief as is appropriate in the circumstance.

DATED this 2 day of September, 2011.

UNITED WATER IDAHO INC.

By: 

Dean J. Miller
Attorney for Applicant