

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF UNITED WATER IDAHO INC. FOR)	CASE NO. UWI-W-11-03
AUTHORITY TO APPLY ABANDONED)	
DEPOSITS TO LOW INCOME)	ORDER NO. 32391
ASSISTANCE PROGRAM)	

On September 2, 2011, United Water Idaho Inc. (United Water, Company) filed an Application requesting Commission authority to contribute unclaimed customer deposits to its UW Cares program. *Idaho Code* § 14-508(1) provides that a deposit paid to a utility “in advance for utility services to be furnished, less any lawful deductions, that remains unclaimed by the owner for more than one (1) year after termination of services for which the deposit or advanced payment was made is presumed abandoned.” Pursuant to paragraph 2 of the statute, the Commission may certify to the Idaho State Treasurer that a utility participates in a financial assistance program that assists the utility’s low-income and disadvantaged customers with their utility bills. Upon certification by the Commission, “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.” *Idaho Code* § 14-508(2).

United Water’s Application states that it currently holds two deposits related to the construction of subdivision water main extensions. The projects were abandoned by the developers prior to completion. The deposit amounts totaled \$95,656.19 at the time United Water filed its Application. United Water asserts that it “made diligent effort to return the deposits to the depositors, but has been unable to do so.” Application, p. 3. Because the deposits have remained unclaimed for more than a year, they are presumed to be abandoned pursuant to *Idaho Code* § 14-508 and the Commission’s Utility Customer Relations Rule 110, IDAPA 31.01.21.110. United Water requested a Commission Order certifying to the state treasurer that the Company participates in a financial assistance program which assists the utility’s low-income and disadvantaged customers with their utility bills, and authorizing transfer of the deposits, less reasonable costs of this proceeding, to its assistance program.

Staff reviewed United Water’s Application and applicable statutes and rules, and supports the Company’s request to transfer the abandoned deposits plus accrued interest to the assistance program, called UW Cares Idaho. United Water received a deposit on January 31,

2007 from Shaunessey, LLC for Park Place Gardens subdivision. The current balance of that deposit is \$80,878.48. Another deposit was received on April 21, 2008 from Hard Rock Construction for the Catalpa Subdivision, and the current balance of this deposit is \$14,771.71. The deposits were initially collected to cover the Company's inspection and overhead costs for the construction of water mains in the developments. The projects were abandoned by the developers prior to completion. United Water states that it diligently attempted to return the money to the developers but was unable to do so. Under *Idaho Code* § 14-508(1) and the Commission's Utility Customer Relations Rule 110.01, these deposits are presumed abandoned. Rule 110.02 states that "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."

United Water initiated UW Cares in 2005 as the first and only water utility customer assistance program in the state. The program is administered through El-Ada Community Action Partnership social service organizations. UW Cares currently provides up to \$50 in annual water bill assistance to qualifying customers. Since 2005, the program has provided more than \$74,000 in assistance to more than 1,600 qualified customers. United Water states that at the current level of customer demand, the abandoned deposits will provide funds sufficient to maintain the program for several years, and also enable expansion of the UW Cares program.


The Commission approves the Company's request and issues this Order certifying to the Idaho State Treasurer that United Water participates in a financial assistance program which assists the utility's low-income and disadvantaged customers with their utility bills. Pursuant to *Idaho Code* § 14-508(2), United Water is directed to transfer the abandoned funds to the dedicated UW Cares account. United Water also requests that it be allowed to pay reasonable attorney's fees from the abandoned deposits for the preparation and processing of this Application, and estimated the attorney fees to be approximately \$5,000. The Commission does not approve United Water's request to deduct and pay from the abandoned funds attorneys' fees to process the Application. The costs to prepare and process the Application are not extraordinary expenses to justify recovery outside the normal ratemaking process. Those costs are normal operating costs for United Water and can be included for recovery in the normal course of events.

ORDER

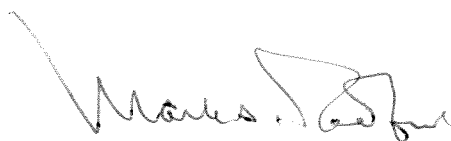
IT IS HEREBY ORDERED that this Order is certification that United Water Idaho Inc. participates in a financial assistance program, UW Cares, that assists United Water's low-income and disadvantaged customers with their water utility bills. Pursuant to the mandate in *Idaho Code* § 14-508(2), United Water will transfer the deposits totaling \$95,656.19 to the UW Cares program. A copy of this Order will be transmitted to the Idaho State Treasurer.

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 3rd day of November 2011.



PAUL KJELLANDER, PRESIDENT

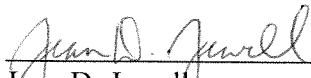


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

bls/O:UWI-W-11-03_ws2