(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF UNITED WATER IDAHO INC., FOR AN ORDER APPROVING THE PURCHASE OF WATER SERVICE PROPERTIES OF M&M MOUNTAIN VIEW ACRES SUBDIVISION WATER COMPANY, INC., AND FOR AN ORDER APPROVING AMENDMENT OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 143 AS AMENDED. | )  )  )  )  )  )  )  )  )  ) | CASE NO. UWI-W-96-2  ORDER NO.  26691 |

On April 29, 1996, United Water Idaho Inc.  (UWI, United Water) filed an Application with the Idaho Public Utilities Commission (Commission) for an Order approving the purchase by United Water of water service properties owned by M&M Mountain View Acres Subdivision Water Company, Inc. (M&M).  United Water also requested a related amendment to its Certificate of Public Convenience and Necessity and authorized service area, and approval of certain related rate and ratemaking matters.

M&M is an Idaho not-for-profit corporation that exists for the purpose of owning and operating a community water system within the M&M Mountain View Acres Subdivision in Canyon County, Idaho.  M&M provides water service for domestic and culinary purposes to approximately 30 residential customers.

On May 15, 1996, the Commission issued Notices of Application and Modified Procedure in Case No. UWI-W-96-2.  Comments were filed by United Water and Commission Staff.  Following the filing of comments there was an informal stay of further proceedings.

On November 15, 1996, United Water Idaho Inc. notified the Commission by letter that an alternative approach to operation of the water system within the subdivision has been devised and  the agreement to purchase the system has been rescinded by mutual consent of both parties.  Accordingly, United Water requests pursuant to Commission Rule 67 that the Application in Case No. UWI-W-96-2 be withdrawn and that the docket be closed.

Commission Findings

The Commission has reviewed and considered the filings of record in Case No. UWI-W-96-2, including United Water’s November 15 request that the Application be withdrawn.  Reference IDAPA 31.01.01.067.  The Commission based on its review finds it reasonable to grant the Company’s request for withdrawal of its Application in Case No. UWI-W-96-2.

CONCLUSIONS OF LAW

The Idaho Public Utilities Commission has jurisdiction over United Water Idaho Inc., a water utility, pursuant to the authority and power granted the Commission under Title 61 of the Idaho Code and the Commission’s Rules of Procedure, IDAPA 31.01.01.000 et seq.

O R D E R

In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED and the Commission does hereby grant United Water Idaho Inc.’s request to withdraw its Application in Case No. UWI-W-96-2 and to close the docket in said case.

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                  day of November 1996.

RALPH NELSON, PRESIDENT

MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

vld/O:UWI-W-96-2.sw2

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

December 5, 1996