

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF EAGLE WATER</b>	)	
<b>COMPANY’S APPLICATION FOR</b>	)	<b>CASE NO. EAG-W-15-01</b>
<b>AUTHORITY TO IMPLEMENT A</b>	)	
<b>CUSTOMER SURCHARGE</b>	)	<b>ORDER NO. 33567</b>
	)	

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In November 2015, Eagle Water Company filed an Application seeking authority to implement a 53.82% surcharge on its customers’ water usage. The Company requested that the case be processed via Modified Procedure and that the surcharge become effective in approximately 30 days. The Commission initially suspended the proposed effective date until March 10, 2016. Order No. 33430.

On March 4, 2016, with the Company’s concurrence, Staff moved to further suspend the proposed effective date for an additional 90 days. The Commission granted that Motion and suspended the effective date until June 8, 2016. On April 8, 2016, Eagle Water and Commission Staff (the parties) filed a Joint Stipulation and Motion to further suspend the pending Application for an additional 90 days. The Commission granted the joint Motion and suspended the effective date until September 6, 2016. Order No. 33509.

The parties have reported to the Commission that resolution of the Application cannot be achieved by September 6, 2016.

**THE MOTION**

The effective date of the surcharge proposed in the Company’s Application has been suspended three times. The first suspension was at the Commission’s discretion. The second and third suspensions came by requests of the parties and relate to the Company’s need for additional time to locate documents and to consider settlement options and alternatives. For those same reasons, the parties have again requested additional time to process this case.

Rather than seek an additional suspension of the effective date, the parties now jointly come before the Commission to request a stay of proceedings, not to exceed one year. Specifically, the parties have requested that this case be stayed until the Company is fully prepared to proceed, and a joint motion to lift the stay is made by the parties. If no joint motion to lift the stay is made within one year’s time, the parties agree that the Application be dismissed by the Commission on Staff motion.

## COMMISSION FINDINGS

After reviewing the Joint Stipulation and Motion, we find good cause to grant the Motion and stay proceedings in this matter. No party will be prejudiced by the stay, and no harm will come to ratepayers as a result. We will consider lifting the stay upon a joint motion of the parties.

Further, we find it appropriate to adopt the parties' agreement that the Application be dismissed on Staff motion should the stay exceed one year. *See* Procedure Rule 248 (“[t]he Commission is not bound to adopt a stipulation of the parties, but may by order do so”). Accordingly, pursuant to the Commission's authority under *Idaho Code* § 61-622(4) and Procedural Rules 248 and 256 (IDAPA 31.01.01.248, .256), we grant the Joint Stipulation and Motion.

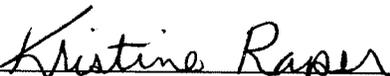
## ORDER

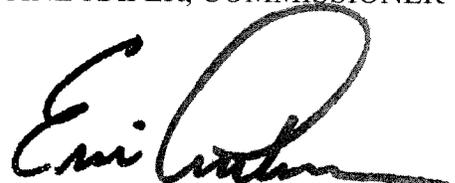
IT IS HEREBY ORDERED that the parties' Motion is granted. Proceedings in this matter are stayed until such a time that the parties file a joint motion to lift the stay.

IT IS FURTHER ORDERED that if the stay is not lifted by a joint motion of the parties within one year, Staff will move, and the Commission may grant, an Order dismissing the Application.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 10<sup>th</sup>  
day of August 2016.

  
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PAUL KJELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

  
\_\_\_\_\_  
ERIC ANDERSON, COMMISSIONER

ATTEST:

  
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Jean D. Jewell  
Commission Secretary

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