DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

TONYA CLARK

DON HOWELL

STEPHANIE MILLER

DAVE SCHUNKE

GEORGE FINK

DAVID SCOTT

WORKING FILE

FROM:SCOTT WOODBURY

DATE:JUNE 26, 1998

RE:CASE NO. BAR-W-98-1

REQUEST TO EXTEND TEMPORARY WATER SERVICE TO IDAHO SHAKESPEARE FESTIVAL

On June 9, 1998, the Barber Water Corporation (Barber Water; Company) filed a letter request with the Idaho Public Utilities Commission (Commission) seeking authority to extend temporary water service to the Idaho Shakespeare Festival, at a non-contiguous site located across State Highway 21 from the Company’s present service area.  As reflected in a Company letter to its customers, the Idaho Shakespeare Corporation has requested intermittent use of approximately 10 service units which will require approximately 75 gallons per minute during short periods of time.  The Company contends that extending service will not affect system water pressure or compromise fire protection.  The Company estimates that the maximum demand for the Shakespeare Festival site will be approximately 13,000 gallons for a three-hour period.  Pumping capacity for the Barber Water System is approximately 550,000 gallons per day.  The Company also has a 200,000 gallon reservoir.  In the spring the Company states that it was using only one pump for approximately four to five hours (manual switching) and averaging about 65,000 gallons of water per day.  During May with irrigation of lawns and gardens, consumption has doubled.  It is now operating the pump for approximately 10 hours per day and using about 130,000 gallons per day.

Barber Water states that it is trying to provide a community service by this temporary provision of water service until United Water extends its service to the area.  The Company will have no capital outlay related to the extension of service.

On June 4, 1998, the Idaho Consumer Affairs, Inc., on behalf of a number of Barber Water customers, filed a letter with the Commission contending that Barber Water in violation of Idaho Commission Rule 112, (Certificate of Public Convenience and Necessity), had entered into an agreement to supply water to the Shakespeare Festival, a non-residential entity, located approximately one mile outside of Barber Water’s approved service areas, Golden Dawn and Barberton Mobile Home Park Subdivisions.  The contention of the Idaho Consumers Affairs, Inc. is that Barber Water extended its service to the Shakespeare Festival, in an arbitrary, unorthodox and “backdoor” manner.  The customers request a hearing regarding the procedure followed by Barber Water.

Staff Analysis

Staff has not completed its investigation.  Although a hearing has been requested, Staff recommends that the Commission issue a Notice of Application and process this matter pursuant to Modified Procedure.

Commission Decision

Does the Commission find that Modified Procedure is appropriate?  If not, what is the Commission’s preference?

Scott Woodbury

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