

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF BAR CIRCLE “S” WATER COMPANY) **CASE NO. BCS-W-08-01**
TO AMEND ITS CERTIFICATE OF)
CONVENIENCE AND NECESSITY) **NOTICE OF APPLICATION**
)
) **NOTICE OF**
) **MODIFIED PROCEDURE**
)
) **NOTICE OF**
) **COMMENT/PROTEST DEADLINE**

YOU ARE HEREBY NOTIFIED that on November 21, 2008, Bar Circle “S” Water Company (Bar Circle “S”; Company) filed an Application with the Idaho Public Utilities Commission (Commission) requesting authority to amend its Certificate of Convenience and Necessity No. 296 to include a new subdivision, Double T Estates in Kootenai County, Idaho. *Idaho Code* § 61-526; IDAPA 31.01.01.112.

Bar Circle “S” Water Company provides water service to the Bar Circle “S” Ranch subdivision located on the Rathdrum Prairie in Kootenai County, Idaho approximately seven miles north of the City of Coeur d’Alene. The Company currently serves approximately 156 residential customers and one commercial customer. Residential customers are typically located on five-acre lots.

An application and plat map for a new subdivision, Double T Estates, has been filed with Kootenai County for approval. The final plat has not yet been approved but approval is expected soon and construction should begin in the next few months. The new subdivision is located on approximately 237 acres in a portion of the West ½ of Section 14, Township 52 North, Range 4 West of the Boise Meridian (W½ S14, T52N, R4W, BM) in Kootenai County, Idaho. This subdivision is located approximately 1,300 lineal feet from the existing Bar Circle “S” service area at the Ohio Match Road and Ramsey Road intersection. A vicinity map is attached to the Company’s Application and shows the location of the existing service area and the proposed new subdivision. Also attached is a copy of the proposed plat map of the new

subdivision. A final approved plat map complete with detail of the location of all water system installations will be provided to the Commission when completed.

Bar Circle "S" recently commissioned a hydraulic engineering study of its water system by Toothman-Orton Engineering. The new subdivision will contain 47 five-acre residential home sites. The hydraulic modeling study performed by the consulting engineers determined there is adequate capacity on the Company's existing system to serve this new subdivision without the need for construction of additional source of supply or reservoir facilities.

Construction costs of the water distribution system including mains, valves, fire hydrants, customer service line taps, meter boxes, meter bases and the line extension required to interconnect to the existing water system will be paid by the subdivision developer and contributed to Bar Circle "S" Water Company. The only cost to be borne by the Company will be the cost of meters at the time a property is developed and service is requested. Addition of this service area to the existing system will have no adverse effect on the Company's existing customers.

The Company is not aware of any other water company in the vicinity of the new subdivision that would be willing and able to provide service to the area being developed.

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the filings of record in Case No. BCS-W-08-01. The Commission has preliminarily determined that the public interest regarding the Company's Application to expand its certificated area of service to include the Double T Estate Subdivision in Kootenai County, Idaho may not require a hearing to consider the issues presented and that issues raised by the Application may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. Reference Commission Rules of Procedure, IDAPA 31.01.01.201-204.

YOU ARE FURTHER NOTIFIED that the Commission may not hold a hearing on the issues presented in this proceeding unless it receives written protests or comments opposing the use of Modified Procedure and stating why Modified Procedure should not be used. Reference IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that the **deadline for filing written comments or protests** with respect to the Application and the Commission's use of Modified Procedure in

Case No. BCS-W-08-01 is **Thursday, January 15, 2009**. Persons desiring a hearing must specifically request a hearing in their written protest or comments.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the deadline, the Commission will consider the matter on its merits and enter its Order without a formal hearing. If comments or protests are filed within the deadline, the Commission will consider them and in its discretion may set the matter for hearing or may decide the matter and issue its Order based on the written positions before it. Reference IDAPA 31.01.01.204.

YOU ARE FURTHER NOTIFIED that written comments concerning Case No. BCS-W-08-01 should be mailed to the Commission and the Company at the addresses reflected below.

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5918

Robert N. Turnipseed
Bar Circle "S" Water Company
PO Box 1870
Hayden, ID 83835
E-mail: avondalecon@verizon.net

Robert E. Smith
2209 N. Bryson Road
Boise, ID 83713
E-mail: utilitygroup@yahoo.com

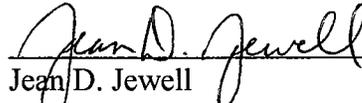
All comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.idaho.gov. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail addresses listed above.

YOU ARE FURTHER NOTIFIED that the Application in Case No. BCS-W-08-01 may be viewed at www.puc.idaho.gov by clicking on "File Room" and "Water Cases," or can be viewed during regular business hours at the Idaho Public Utilities Commission, 472 West Washington Street, Boise, Idaho and at the Company's office located at 2953 North Government Way, Coeur d'Alene, Idaho.

DATED at Boise, Idaho this

2nd

day of December 2008.



Jean D. Jewell
Commission Secretary

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