

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: NEIL PRICE
DEPUTY ATTORNEY GENERAL**

DATE: DECEMBER 21, 2012

**SUBJECT: APPLICATION OF BRIAN WATER CORPORATION REQUESTING A
TEMPORARY SURCHARGE IN ITS RATES AND CHARGES FOR
WATER SERVICE, CASE NO. BRN-W-12-02**

On December 7, 2012, Brian Water Corporation (“Brian Water” or “Company”) filed an Application (Letter) requesting authority to institute a temporary surcharge. The Company proposes an effective date of January 2013.

On December 17, 2012, the Commission received a copy of the Customer Notice.

APPLICATION

In its filing, Brian Water claims that the surcharge is necessary in order to retire an outstanding loan balance of \$13,000; and fund a nitrate mitigation project on the water system with an estimated cost of \$40,000.

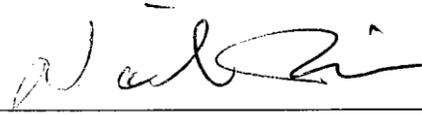
Brian Water estimates a monthly surcharge of \$50.00. The Company states that longer term financing is not available. The Company asks the Commission to authorize the surcharge for a period of two years beginning in January 2013.

The Company is still in the process of completing the engineering report required by IDEQ before it can begin the nitrate mitigation project.

COMMISSION DECISION

1. Does the Commission wish to suspend Brian Water’s Application seeking authority to increase its rates for water service for a period of 30 days plus 5 months, pursuant to *Idaho Code* § 61-622?

2. Does the Commission wish to issue a Notice of Application?



Neil Price
Deputy Attorney General

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