

ORIGINAL OPEN MEETING AGENDA ITEM

BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS
MARC SPITZER- Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

2004 MAR 11 A 10: 56
AZ CORP COMMISSION
DOCUMENT CONTROL



IN THE MATTER OF THE APPLICATION OF)
PALO VERDE UTILITIES COMPANY FRO AN)
EXTENSION OF ITS EXISTING CERTIFICATE)
OF CONVENIENCE AND NECESSITY.)
IN THE MATTER OF THE APPLICATION OF)
SANTA CRUZ WATER COMPANY, FOR AN)
EXTENSION OF ITS EXISTING CERTIFICATE)
OF CONVENIENCE AND NECESSITY.)

DOCKET NO. SW-03575A-03-0586
W-03576A-03-0586

JOINT FILING OF PROPOSED
AMENDMENTS TO
RECOMMENDED OPINION
AND ORDER

Applicants Santa Cruz Water Company and Palo Verde Utilities Company and Utilities
Division Staff jointly submit the following proposed amendments to the January 22, 2004
Recommended Opinion and Order issued by the Hearing Division in the above captioned dockets.
The parties arrived at the requested amendments after discussions concerning the interplay between
the recent change in company membership and previous compliance issues. Applicants and Staff
submit that adoption of the proposed amendments attached hereto will further the public interest.

RESPECTFULLY SUBMITTED this 11th day of March, 2004.

FENNEMORE CRAIG, P.C.

Arizona Corporation Commission
DOCKETED

MAR 11 2004

DOCKETED BY *CK*

[Signature]
Jay L. Shapiro
Patrick J. Black
Attorney's for Palo Verde Utilities Company
and Santa Cruz Water Company

ARIZONA CORPORATION COMMISSION

[Signature]
Christopher C. Kempley
Lisa A. Vandenberg
Attorney's for Arizona Corporation Commission
Utilities Division

AN ORIGINAL and thirteen (13)
copies were filed this 11th day
of March, 2004 with:

1 Docket Control
1200 West Washington Street
2 Phoenix, Arizona 85007

3 COPIES of the foregoing document
4 was filed this 11th day of March, 2004 to:

5 Jay L. Shapiro
6 Patrick Black
7 FENNEMORE CRAIG, P.C.
8 3003 North Central Avenue, Suite 2600
9 Phoenix, Arizona 85012
10 Attorneys for Palo Verde Utilities Company and
11 Santa Cruz Water Company

12 Cindy Lyles
13 Santa Cruz Water Company, LLC
14 Palo Verde Utilities Company LLC
15 426 North 44th Street, Suite 200
16 Phoenix, Arizona 85008

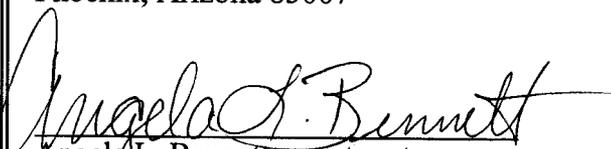
17 Brent D. Butcher
18 3975 South Highland Drive # 6
19 Salt Lake City, Utah 84124

20 Kent A. Hogan
21 3799 East Catamount Ridge Way
22 Sandy, Utah 84092

23 Lyn Farmer, Chief
24 Hearing Division
25 Arizona Corporation Commission
26 1200 West Washington Street
27 Phoenix, Arizona 85007

28 Christopher C. Kempley, Chief
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Ernest G. Johnson, Director
Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

26 
27 Angela L. Bennett secretary to
28 Lisa A. Vandenberg

THIS AMENDMENT:		
_____ Passed	_____ Passed as amended by _____	
_____ Failed	_____ Not Offered	_____ Withdrawn

**APPLICANTS AND STAFF'S JOINT PROPOSED AMENDMENT #1
TO RECOMMENDED OPINION AND ORDER**

TIME/DATE PREPARED: _____

COMPANY: Palo Verde Utilities Company and Santa Cruz Water Company

AGENDA ITEM _____

DOCKET NOS. SW-03575A-03-0586 & W-0376A-03-0586

OPEN MEETING DATE: March 29, 2004

Page 8, Lines 23-25, **DELETE:**

IT IS FURTHER ORDERED that, in accordance with Decision No. 66394, Palo Verde Utilities Company, LLC and Santa Cruz Water Company, LLC, shall continue to maintain performance bonds of \$500,000 each until further Order of the Commission.

ADD:

IT IS FURTHER ORDERED that, in accordance with Decision No. 66394, Palo Verde Utilities, LLC and Santa Cruz Water Company, LLC, shall continue to maintain performance bonds of \$500,000 each until February 9, 2005, at some time after November 1, 2004 the company may file a request with the Commission to reduce performance bonds on February 9, 2005, to the levels originally imposed by Decision No. 61943 and then maintained at such levels until at least February 9, 2007.

THIS AMENDMENT:		
_____ Passed	_____ Passed as amended by _____	
_____ Failed	_____ Not Offered	_____ Withdrawn

**APPLICANTS AND STAFF'S JOINT PROPOSED AMENDMENT #2
TO RECOMMENDED OPINION AND ORDER**

TIME/DATE PREPARED: _____

COMPANY: Palo Verde Utilities Company and Santa Cruz Water Company

AGENDA ITEM _____

DOCKET NOS. SW-03575A-03-0586 & W-0376A-03-0586

OPEN MEETING DATE: March 29, 2004

Page 9, Lines 4-7, **DELETE:**

IT IS FURTHER ORDERED that, in the event Palo Verde Utilities Company, LLC and Santa Cruz Water Company, LLC fail to comply with the above-stated conditions within the times specified, the CC&N extensions approved herein shall be deemed to be denied without further Order of the Arizona Corporation Commission.

ADD:

IT IS FURTHER ORDERED that, in the event Palo Verde Utilities Company, LLC and Santa Cruz Water Company, LLC fail to comply with the above-stated conditions within the times specified, the Commission hereby approves issuance of an Order to Show Cause to review the Company's performance as a public service company.

OPEN MEETING AGENDA ITEM

Open Meeting Date: DATE TO BE DETERMINED

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Company Name: PALO VERDE UTILITIES * SANTA CRUZ WATER

Matter/Issue: _____ 2004 MAR 11 A 10: 59

Docket Number: SW-03575A-03-0586

AZ CORP COMMISSION
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Docket Number: W-03576A-03-0586

NAME	INITIALS	DATE
Commissioner Marc Spitzer	ym for bc	3/11/04
Commissioner Kristin Mayes	D.P.	3/11/04
Commissioner William Mundell	WJM	3/11/04
Commissioner Mike Gleason	u	3/11/04
Commissioner Jeff Hatch-Miller	tan	3/11/04
Hearing	JP	3-11-04
Legal	DAA	3/11/04
Executive Secretary	ym	3/11/04
Utilities:	CalB	3/11/04
Assistant Director		
Director - The Director's copy, and all remaining copies, go to the Director's Secretary.		

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