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BEFORE THE ARIZONA CORPORATION COMMISSION

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- MARC SPITZER**
Chairman
- WILLIAM MUNDELL**
Commissioner
- JEFF HATCH-MILLER**
Commissioner
- MIKE GLEASON**
Commissioner
- KRISTIN K. MAYES**
Commissioner

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 AZ CORP COMMISSION
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IN THE MATTER OF THE JOINT APPLICATION OF RANCHO CABRILLO WATER COMPANY, RANCHO CABRILLO SEWER COMPANY, ARIZONA-AMERICAN WATER COMPANY, AGUA FRIA DISTRICT, AND ARIZONA-AMERICAN WATER COMPANY, ANTHEM/AGUA FRIA DISTRICT [DISTCO] FOR THE TRANSFER OF CERTIFICATES OF CONVENIENCE AND NECESSITY TO PROVIDE WATER AND WASTE WATER UTILITY SERVICES AND EXTENSION OF SERVICE AREA

DOCKET NOS.
 W-03898A-04-0089
 SW-03898A-04-0089
 W-01303A-04-0089
 WS-01303A-04-0089

STIPULATION

Arizona Corporation Commission
DOCKETED
 MAY 26 2004

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GALLAGHER & KENNEDY, P.A.
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In accordance with the Administrative Law Judge's order during the May 20, 2004 hearing, applicant Arizona-American Water Company and Arizona Corporation Commission Staff hereby file the following stipulated conditions amending the Staff Report (exhibit S-1) dated April 29, 2004. Specifically, the parties have agreed to replace recommendations two and three on page 6 of the Staff Report with the following language:

2. That the Commission require the Arizona American Water Company to file, with the Director of the Utilities Division, the Arizona Department of Environmental Quality Approvals to Construct the facilities required to serve the initial phase of the Rancho Cabrillo development, including at a minimum the Approvals to Construct for the Phase IV Regional Water Facilities, the Phase IV Regional Wastewater Collection Facilities and the initial phase of the On-Site Subdivision Facilities (as those facilities are defined in the Rancho Cabrillo Water and Wastewater Agreement), together with the appropriate main extension agreement, within 365 days from the effective date of the Commission's Decision.

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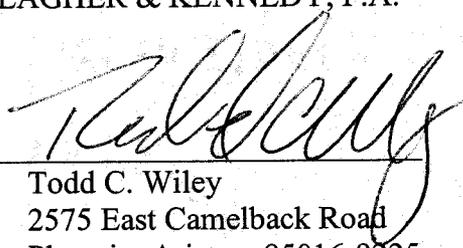
3. That the Commission require the Arizona American Water Company to file, with the Director of the Utilities Division, a copy of the Arizona Department of Water Resources Certificate of Assured Water Supply for the initial phase of the Rancho Cabrillo development within 365 days from the effective date of the Commission's Decision.

Undersigned counsel has consulted with Staff counsel on these issues and is authorized to file this stipulation jointly on behalf of the parties. The parties respectfully request that the Administrative Law Judge incorporate these recommendations as part of the recommended opinion and order in this docket.

RESPECTFULLY SUBMITTED this 26 day of May, 2004.

GALLAGHER & KENNEDY, P.A.

By



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Water Company

Original and **nineteen** copies filed this 26th day of May, 2004, with:

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