

ORIGINAL



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2004 AUG 31 P 2:19

AZ CORP COMMISSION
DOCUMENT CONTROL

Attorneys for New River Utility Company

BEFORE THE ARIZONA CORPORATION COMMISSION

8 IN THE MATTER OF THE APPLICATION
9 OF NEW RIVER UTILITY COMPANY FOR
10 AN EXTENSION OF ITS EXISTING
11 CERTIFICATE OF CONVENIENCE AND
12 NECESSITY IN MARICOPA COUNTY,
13 ARIZONA

DOCKET NO. W-01737A -04-0502

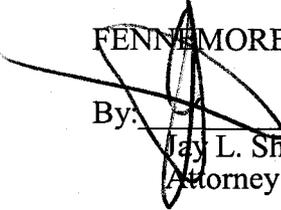
**NOTICE OF COMPLIANCE
CONCERNING PUBLICATION OF
PUBLIC NOTICE**

12 In accordance with the August 10, 2004 Procedural Order governing the above-captioned
13 docket, New River Utility Company hereby submits the following evidence of compliance
14 concerning public notice of hearing and publication:

15 Affidavit of Janet Gerster, acknowledging that the notice of public hearing was published
16 on August 20, 2004 in the Daily News-Sun and a copy of the Published Notice. See Exhibit 1.

17
18 DATED this 31st day of August, 2004.

FENNEMORE CRAIG, P.C.

19
20 By: 
21 Jay L. Shapiro
22 Attorney for New River Utility Company

23 ORIGINAL and 13 copies delivered this
24 31st day of August, 2004, to:

25 Docket Control
26 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Arizona Corporation Commission

DOCKETED

AUG 31 2004

DOCKETED BY



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A copy hand-delivered this day to:

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

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

Marc Stern, Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Jim Fisher, Executive Consultant
Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

COPY mailed this day to:

Mr. Robert Fletcher, President
New River Utility Company
7839 West Deer Valley Road
Phoenix, Arizona 85382

Mr. Marshall Reynolds
Arrowhead Ranch Office Park, LLC
2845 East Camelback Road, Suite 700
Phoenix, Arizona 85016

By: *Jeanne P. Pugh*
1580582/69300.022

EXHIBIT 1

Daily News-Sun

10102 Santa Fe Drive Sun City, Arizona 85351
623.977.8351 Fax 623.876.2589

FENNEMORE CRAIG
3003 North Central Avenue, Suite 2600
Phoenix, AZ 85012-2913

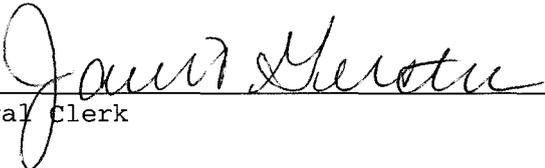
Affidavit of Publication

I, Janet Gerster, Legal Clerk, am authorized by the publisher as agent to make this affidavit of publication. Under oath, I state that the following is true and correct.

The Daily News Sun is a newspaper which is published daily, is of general circulation and is in compliance with the Arizona Revised Statutes 10-140.34 & 39-201.A & B. I solemnly swear that the notice as per copy attached, was published in the regular and entire edition of the said newspaper and not in any supplement. The below listed advertisement appeared in the following issues.

DATES OF PUBLICATION:

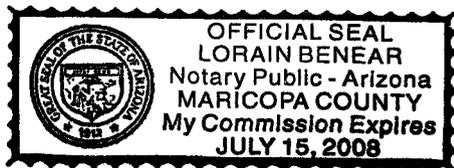
- 1) August 20, 2004



Legal Clerk

State of Arizona
County of Maricopa

Subscribed and sworn to before me, in my presence, this 23rd day of August, 2004.





Notary Public

Ad caption: Public Notice, New River Utility/457913/\$89.42

*Note: Customer is responsible for filing this document with the appropriate office.

PUBLIC NOTICE OF THE HEARING FOR NEW RIVER UTILITY COMPANY FOR AN EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY

Docket No. W-01737A-04-0502

On July 9, 2004, New River Utility Company ("Applicant") filed an application for an extension of its CC&N to various parts of Maricopa County, Arizona.

The application is available for inspection during regular business hours at the offices of the Commission in Phoenix at 1200 West Washington Street, Phoenix, Arizona, and at the Applicant's office, 7839 W. Deer Valley Rd., Peoria, AZ 85382.

The Commission will hold a hearing on this matter commencing on September 30, 2004 at 9:30 a.m. at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to Applicant or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of Applicant, a shareholder of Applicant, a competitor, etc).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before September 21, 2004. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine the witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf.

If you have any questions or concerns about this application or have any objections to its approval, or wish to make a statement in support of it, you may write the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make comment.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format by contacting the ADA Coordinator, voice phone number 602-542-3931, Email YMcFarlin@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

Publish: Daily News-Sun August 20, 2004/ 457913