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- 1 Marc Spitzer  
Commissioner - Chairman
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AZ CORP COMMISSION  
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Arizona Corporation Commission

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**BEFORE THE ARIZONA CORPORATION COMMISSION**

9 IN THE MATTER OF THE FORMAL  
10 COMPLAINT OF RICHARD N. CORROW  
11 AGAINST ARIZONA WATER COMPANY,  
12 AN ARIZONA CORPORATION

DOCKET NO. W-01445A-04-0622

**ANSWER**

12 Arizona Water Company (the "Company") presents its answer to the Formal Complaint  
13 of Richard N. Corrow (the "Complainant"), filed August 25, 2004.

14 The Company answers the allegations of the Complainant as follows:

15 1. Answering the allegations in the Complaint, due to the narrative presentation of  
16 the allegations in the Complaint, the Company does not have sufficient information to admit or  
17 deny the allegations in the Complaint, and therefore denies each and every allegation and will  
18 demand strict proof of the same at any proceeding or hearing held in this matter.

**AFFIRMATIVE DEFENSES**

20 1. Section IV.B.4 of the Company's Tariff No. TC-243 provides that "(t) he  
21 Company at its option may install its meter at the property line, on the customer's property or in  
22 another location mutually agreed upon".

24 2. Tariff No. TC-243 is on file with and has been approved by the Commission.

25 3. The Company's Tariff No. TC-243 further provides, in pertinent part, in Sections  
26 IV.C.1 and V.D.1, respectfully, that "(e) ach customer shall grant or secure  
27 necessary easement(s) and/or right(s) of way satisfactory to the Company, to  
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enable the Company to provide proper water service to the customer (IV.C.1), and  
"(t) he size, design, type, and quality of materials of the system, installed under  
this section, the location in the ground, and the manner of installation will be  
specified by the Company.." (V.D.1).

WHEREFORE, the Company requests that the Commission enter an order in this matter:

1. Dismissing the Complainant's Complaint in its entirety, and concluding that the Complainant should take nothing for his complaint.
2. Concluding that the Complainant is required to comply with the terms of the Company's Tariff No. TC-243, and other applicable tariffs, statutes and regulations.
3. Awarding to the Company such other further and general relief as appropriate under the circumstances.

RESPECTFULLY SUBMITTED this 20th day of September, 2004.

ARIZONA WATER COMPANY

By: Robert W. Geake  
 Robert W. Geake  
 Vice President and General Counsel  
 ARIZONA WATER COMPANY  
 Post Office Box 29006  
 Phoenix, Arizona 85038-9006

Original and thirteen (13) copies of the foregoing filed the 20th day of Sept., 2004 with:

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

A copy of the foregoing was mailed this 20th day of September, 2004 to:

The Honorable Lyn Farmer  
Chief Administrative Law Judge  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

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

Richard N. Corrow  
566 Del Norte Lane  
Santa Fe, NM 87501

By: Robert W. Geake