

ORIGINAL



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7 Phoenix, Arizona 85012  
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2004 SEP 27 P 4: 40  
AZ CORP COMMISSION  
DOCUMENT CONTROL

Arizona Corporation Commission  
**DOCKETED**

SEP 27 2004

Attorneys for Woodruff Water Company, Inc

DOCKETED BY

**BEFORE THE ARIZONA CORPORATION COMMISSION**

8 IN THE MATTER OF THE APPLICATION  
9 OF WOODRUFF WATER COMPANY,  
10 INC. FOR A CERTIFICATE OF  
11 CONVENIENCE AND NECESSITY TO  
12 PROVIDE WATER SERVICE

DOCKET NO. W-04264A-04-0438

11 IN THE MATTER OF THE APPLICATION  
12 OF WOODRUFF UTILITY COMPANY,  
13 INC. FOR A CERTIFICATE OF  
14 CONVENIENCE AND NECESSITY TO  
15 PROVIDE SEWER SERVICE

DOCKET NO. SW-04265A-04-0439

**NOTICE OF SUPPLEMENTAL  
FILING**

15 Woodruff Water Company, Inc. ("the Company") hereby provides notice of  
16 supplemental filing to the Company's June 12, 2004 application for a certificate of  
17 convenience and necessity. Attached hereto as Exhibit 1 is a letter from the Office of the  
18 Pinal County Attorney and the fully executed Acceptance of Franchise forms for water  
19 and wastewater lines for Grantee, Woodruff Utility Company, dated September 20, 2004.

20 DATED this 27<sup>th</sup> day of September, 2004.

FENNEMORE CRAIG, P.C.

21  
22  
23 By:   
24 Norman D. James  
25 Jay L. Shapiro  
26 Attorneys for Woodruff Water Company, Inc.

1 ORIGINAL and 15 copies delivered this  
2 27 day of September, 2004, to:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

7 A copy hand-delivered this day to:

8 Jim Fisher, Executive Consultant  
9 Utilities Division  
10 Arizona Corporation Commission  
11 1200 West Washington  
12 Phoenix, Arizona 85007

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By: Jeanne Rubino  
1589156/75063.029

# **EXHIBIT 1**

SEP 15 2004



## Office of the Pinal County Attorney

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**CIVIL DIVISION**

Administration Building #2  
Post Office Box 887  
Florence, Arizona 85232

**ROBERT CARTER OLSON**  
Pinal County Attorney

**WILLIAM H. McLEAN**  
Chief Civil Deputy

**TELEPHONE**

Main Line: (520) 866-6269  
FAX: (520) 866-6521  
TDD: (520) 866-6379

September 14, 2004

Woodruff Utility Company  
2555 E. Camelback Road, Suite 700  
Phoenix, AZ 85016

Re: Acceptance of Franchise

Enclosed please find two Acceptance of Franchise forms to be signed. Once they have been signed, please return them in the enclosed return envelope.

Thank you for your prompt attention in this matter.

Sincerely,

**ROBERT CARTER OLSON**  
**PINAL COUNTY ATTORNEY**

Rick Husk  
Deputy County Attorney

RVH:imp

Enclosure

**Exhibit B**

**ACCEPTANCE OF FRANCHISE**

To: Board of Supervisors Pinal County, Arizona

Grantee, Woodruff Utility Company, an Arizona Corporation, does hereby accept the August 25, 2004, grant of a new public utility franchise from Pinal County, Arizona, (hereinafter "Franchise"), to construct, operate, and maintain wastewater lines and related fixtures along, under and across present and future public streets, alleys and highways, except state highways, within the unincorporated area of Pinal County, Arizona, as stated in its application for a new public utility franchise.

Grantee unconditionally accepts the Franchise and covenants to faithfully comply with, abide by, to observe and perform all the provisions, terms and conditions of the Franchise. Grantee accepts such provisions, terms and conditions and expressly waives any and all objections to the reasonableness or legality of any provisions of the same or any part thereof, or as to the legal right or authority of Pinal County to impose the same.

Grantee declares that the statements and recitals in this Franchise are correct, and Grantee declares it has made and does make the agreement, statements and admissions in this Franchise recited to have been or to be made by Grantee.

Dated this 20<sup>th</sup> day of September, 2004.

Woodruff Utility Company

By: [Signature]

Title: Vice President

STATE OF ARIZONA )  
County of Maricopa ) ss.

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of Sept., 2004, by KARL POLEN, VICE PRES. of Woodruff Utility Company, an Arizona Corporation, and being authorized to do so, executed the foregoing instrument on behalf of the company for the purposes therein stated.

[Signature]  
Notary Public

My Commission Expires:  
10/19/2007

Notary Public State of Arizona  
Maricopa County  
Sharon Kay Riley  
Expires October 19, 2007  
i:\attyciv\franchis\Woodruff Utility Wastewater Franchise

**Exhibit B**

**ACCEPTANCE OF FRANCHISE**

To: Board of Supervisors Pinal County, Arizona

Grantee, Woodruff Water Company, an Arizona Corporation, does hereby accept the August 25, 2004, grant of a new public utility franchise from Pinal County, Arizona, (hereinafter "Franchise"), to construct, operate, and maintain water lines and related fixtures along, under and across present and future public streets, alleys and highways, except state highways, within the unincorporated area of Pinal County, Arizona, as stated in its application for a new public utility franchise.

Grantee unconditionally accepts the Franchise and covenants to faithfully comply with, abide by, to observe and perform all the provisions, terms and conditions of the Franchise. Grantee accepts such provisions, terms and conditions and expressly waives any and all objections to the reasonableness or legality of any provisions of the same or any part thereof, or as to the legal right or authority of Pinal County to impose the same.

Grantee declares that the statements and recitals in this Franchise are correct, and Grantee declares it has made and does make the agreement, statements and admissions in this Franchise recited to have been or to be made by Grantee.

Dated this 20<sup>th</sup> day of September, 2004.

Woodruff Water Company

By: [Signature]

Title: Vice President

STATE OF ARIZONA )  
County of Maricopa ) ss.

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of Sept., 2004, by KARL TOBEN, VICE PRES. of Woodruff Utility Company, an Arizona Corporation, and being authorized to do so, executed the foregoing instrument on behalf of the company for the purposes therein stated.

[Signature]  
Notary Public

My Commission Expires:  
10/19/2007

Notary Public State of Arizona  
Maricopa County  
Sharon Kay Riley  
Expires October 19, 2007  
i:\attyciv\franchis\Woodruff Water Franchise