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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

DEC 07 2004

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BEFORE THE ARIZONA CORPORATION COMMISSION

6 IN THE MATTER OF THE APPLICATION OF) DOCKET NOS. WS-04235A-04-0073
7 UTILITY SOURCE, L.L.C. FOR A) WS-04235A-04-0074

8 CERTIFICATE OF CONVENIENCE AND)
9 NECESSITY TO PROVIDE WATER AND) **RESPONSE TO STAFF NOTICE**
WASTEWATER SERVICE IN COCONINO) **AND WAIVER OF THE TEN DAY**
10 COUNTY, ARIZONA.) **EXCEPTION PERIOD UNDER AAC**
11) **R-14-3-110(B)**

12 IN THE MATTER OF THE APPLICATION OF)
13 UTILITY SOURCE, L.L.C. FOR AUTHORITY)
TO ISSUE PROMISSORY NOTE(S) AND)
14 OTHER EVIDENCE OF INDEBTEDNESS)
15 PAYABLE AT PERIODS MORE THAN)
16 TWELVE MONTHS AFTER ISSUANCE)

17 1. On November 5, 2004, Administrative Law Judge Pope issued a Procedural Order
18 instructing the Commission Staff to provide a Position Statement on or before November 22, 2004
19 designed to assist in clarifying certain matters in the record.

20 2. On November 22, 2004 Staff filed STAFF'S STATEMENT OF POSITION
21 indicating that certain matters pertaining to Arizona Department of Environmental Quality approvals
22 were still unresolved.

23 3. On December 2, 2004, Staff filed its NOTICE OF RESOLUTION OF ARIZONA
DEPARTMENT OF ENVIRONMENTAL QUALITY ISSUES indicating that the previously
unresolved matters were now resolved.

1 4. Based upon those Staff filings, the Company believes that all issues raised by the
2 November 5, 2004 Procedural Order have been fully resolved, and that the Hearing Division may
3 now issue a Recommended Order for the Commission's consideration.

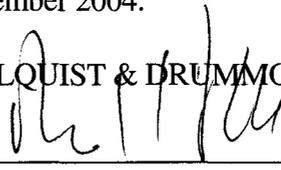
4 5. The Company is under the impression that a form of Recommended Order has
5 previously been prepared for issuance, pending resolution of the matters raised in the November
6 5, 2004 Procedural Order, which as stated above were resolved by the Staff's filings.

7 6. Due to the urgency of the issuance of the Certificate of Convenience and Necessity,
8 the Company hereby waives the 10-day Exception period pursuant to AAC R14-3-110(B), and
9 requests that the Recommended Order be issued as soon as possible for the Commission's
10 consideration at the December 13, 2004 Regularly Scheduled Open Meeting.

11 WHEREFORE, the Company respectfully request that the Administrative Law Judge issue a
12 Recommended Order in this docket at the earliest possible date.

13 Respectfully submitted this 12th day of December 2004.

14 SALLQUIST & DRUMMOND, P.C.

15 By 
16 Richard L. Sallquist
17 4500 S. Lakeshore Drive, Suite 339
18 Tempe, Arizona 85282
19 Attorneys for Utility Source, L.L.C.

20 Original and fifteen copies of the
21 foregoing filed this 12th day of
22 December, 2004, with:

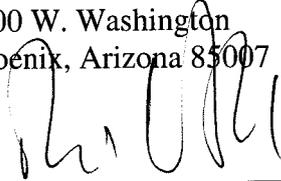
23 Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

1 A copy of the forgoing faxed
and mailed this 5 day of December, 2004
2 to the following:

3 Judge Lyn Farmer
Arizona Corporation Commission
4 Hearing Division
1200 W. Washington
5 Phoenix, AZ 85007

6 Tim Sabo
Arizona Corporation Commission
7 Chief, Legal Division
1200 W. Washington
8 Phoenix, Arizona 85007

9 Ernest G. Johnson
Arizona Corporation Commission
10 Director, Utilities Division
1200 W. Washington
11 Phoenix, Arizona 85007



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