

ORIGINAL



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RECEIVED

1 FENNEMORE CRAIG  
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2004 OCT 18 P 3:08

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 LATE-FILED EXHIBIT**

12 New River Utility Company ("New River") hereby submits this Notice of Late-Filed  
13 Exhibit in the above-captioned matter. On October 6, 2004, New River entered into a Stipulation  
14 and Order with the Maricopa County Environmental Services Division ("MCESD") to resolve  
15 alleged violations of Maricopa County's Environmental Health Code. A copy of the Stipulation  
16 and Order was admitted into evidence during the October 6, 2004 hearing in this matter. None of  
17 the alleged violations ever posed a threat to the health and safety of New River's customers, and  
18 primarily dealt with MCESD reporting and sampling requirements. New River agreed to pay a  
19 \$15,000 civil penalty to resolve the outstanding enforcement action by MCESD.

20 Attached hereto as NRU-2 is a copy of the receipt from MCESD concerning the \$15,000  
21 payment made by New River as required by the Stipulation and Order.

22 RESPECTFULLY SUBMITTED this 18th day of October, 2004.

23 Arizona Corporation Commission

24 **DOCKETED**

25 OCT 18 2004

26 **DOCKETED BY**

FENNEMORE CRAIG, P.C.

By:

Jay L. Shapiro  
Patrick J. Black

Attorneys for New River Utility Company

1 ORIGINAL and 13 copies delivered this  
2 ~~18th~~ day of October, 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 Marc Stern, Administrative Law Judge  
9 Hearing Division  
10 Arizona Corporation Commission  
11 1200 West Washington  
12 Phoenix, Arizona 85007

13 Jim Fisher, Executive Consultant  
14 Utilities Division  
15 Arizona Corporation Commission  
16 1200 West Washington  
17 Phoenix, Arizona 85007

18 David Ronald, Esq.  
19 Legal Division  
20 Arizona Corporation Commission  
21 1200 West Washington  
22 Phoenix, Arizona 85007

23  
24  
25  
26  
By:   
159-915.1/69300.022

**EXHIBIT**

**NRU-2**

**MARICOPA COUNTY  
ENVIRONMENTAL SERVICES  
DEPARTMENT**



**BUSINESS SERVICES DIVISION  
1001 N Central Ave, Suite 100  
Phoenix, AZ 85004**

**NEW RIVER UTILITY CO INC  
NEW RIVER UTILITY INC  
7839 W DEER VALLEY RD  
PEORIA, AZ 85382**

**Permit: 07051**

**Expiration: 09/30/05**

**NEW RIVER UTILITY INC**

**7839 W DEER VALLEY RD PEORIA 85382**

**ENCLOSED IS A COPY OF YOUR RECEIPT NUMBER ES023876 IN THE AMOUNT OF  
\$15,000.00 THAT WAS APPLIED TO: *COUNTY ATTORNEY SETTLEMENT - ENV HEALTH***

RECEIVED P. BLACK

OCT 18 2004

ACTION \_\_\_\_\_

**IF YOU HAVE ANY QUESTIONS PLEASE CALL (602) 506-6614**

ES023876

Maricopa County  
Environmental Services Department  
Revenue Receipt

Amount: 15,000

Cash: \_\_\_\_\_ Check: 3258

\*\* ORDER# 0221 \*\*  
KP # 2  
001 EN D 15000.00  
CLEPA 1 10/12/2004 15:55 001 054150

Name: New River Utility Co, Inc

ENVIRONMENTAL HEALTH REVENUES

- |  |   |   |  |
|--|---|---|--|
| <input type="checkbox"/> Permit Fee          | <input type="checkbox"/> Special Events | <input type="checkbox"/> Subdivisions   | <input type="checkbox"/> Fines   |
| <input type="checkbox"/> Plan Review         | <input type="checkbox"/> Solid Waste    | <input type="checkbox"/> W/WW Trtmnt.   | <input type="checkbox"/> Grants  |
| <input type="checkbox"/> Food Handlers       | <input type="checkbox"/> On-site WW     | <input type="checkbox"/> Drinking Water | <input checked="" type="checkbox"/> Misc. <i>Fines &amp; Enforcement</i> |
| <input type="checkbox"/> Family Day/Seasonal | <input type="checkbox"/> Pools          | <input type="checkbox"/> List/Code/Copy | <input type="checkbox"/> Telephone                                       |

AIR QUALITY REVENUES

- |  |   |  |                                       |
|--|---|--|---------------------------------------|
| <input type="checkbox"/> Annual/Late Fee | <input type="checkbox"/> NESHAP Fee         | <input type="checkbox"/> Authority to Cnstr. | <input type="checkbox"/> Copies/Rules |
| <input type="checkbox"/> Vapor Recovery  | <input type="checkbox"/> Title V            | <input type="checkbox"/> Fines & Forfeits    | <input type="checkbox"/> Grants       |
| <input type="checkbox"/> Erthmving/Burn  | <input type="checkbox"/> Eng Hrs-Lrg. Srce. | <input type="checkbox"/> AQ Revisions        | <input type="checkbox"/> Misc.        |
| <input type="checkbox"/> Non-Title V     | <input type="checkbox"/> Eng Hrs-Sml. Srce. | <input type="checkbox"/> Emissions           | <input type="checkbox"/>              |

Permit # 07051 Application # CAUSE NUMBER 04-9147

Memo: THIS PAYMENT FULLY SATISFIES THE REQUIREMENTS OF STIPULATION AND ORDER WITH CAUSE NUMBER 04-9147 *JA*

Signature: *AM*

White - Customer    Goldenrod - Permit File    Hard Copy - Office