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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission
DOCKETED

JAN 27 2005

DOCKETED BY

IN THE MATTER OF THE APPLICATION)
OF AERIE CONSERVANCY, AN ARIZONA)
NONPROFIT CORPORATION, FOR AN)
ADJUDICATION THAT IT IS NOT A PUBLIC)
SERVICE CORPORATION)

DOCKET NO. W-04291A-04-0843

NOTICE OF FILING NOTICE OF
PUBLICATION

In accordance with the Procedural Order dated December 13, 2004, in the above-referenced docket, Aerie Conservancy published notice of the above-captioned application and the hearing to be held regarding the same in *The Sedona Red Rock News*, a newspaper of general circulation in the area affected by the application, on January 12, 2005. A copy of the Affidavit of Publication from *The Sedona Red Rock News* is attached hereto.

RESPECTFULLY submitted this 27th day of January, 2005.

SNELL & WILMER

Jeffrey W. Crockett, Esq.
Kimberly A. Grouse, Esq.
One Arizona Center
Phoenix, Arizona 85004-2202
Attorneys for Aerie Conservancy

Original and 13 copies filed this
27th day of January, 2005, with:

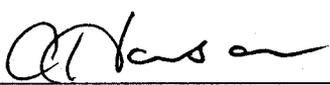
Snell & Wilmer

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Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85004



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AFFIDAVIT OF PUBLICATION

PUBLIC NOTICES

PUBLIC NOTICE OF HEARING ON THE APPLICATION OF AERIE CONSERVANCY FOR ADJUDICATION THAT IT IS NOT A PUBLIC SERVICE CORPORATION

Docket No. W-04291A-04-0843

On November 24, 2004, The Aerie Conservancy ("Applicant") filed with the Arizona Corporation Commission ("Commission") an application for adjudication that it is not a public service corporation under Arizona law. If Applicant is adjudicated not to be a public service corporation, Applicant will not be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. 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 offices of the Applicant, at 7720 North 16th Street, Suite 310, Phoenix, Arizona 85020-4492.

The Commission will hold a hearing on this matter beginning March 23, 2005 at

10:00 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Public comment 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, and a copy must be sent to Applicant or its counsel and to all parties of record, and must 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, etc.)
3. A statement certifying that a copy of the motion to intervene has been mailed to Applicant or their 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 February 11, 2005. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. Failure to intervene will not preclude any person from appearing at the hearing and making a statement for the record.

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 provide 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 Commission's ADA Coordinator, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

Publish: Jan. 12, 2005.

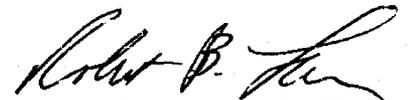
STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

I, ROBERT B. LARSON, Publisher of the
SEDONA RED ROCK NEWS,

a newspaper of general circulation, printed and published in the County of Yavapai, State of Arizona, do solemnly swear that a copy of the attached notice, in the matter of
Notice of Public Hearing
Aerie Conservancy
W-04291A-04-0843

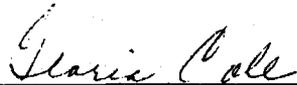
as per clipping attached, was published in the regular and entire section of said newspaper, and not in any supplement thereof, on the following schedule:

January 12, 2005



ROBERT B. LARSON, Publisher

Subscribed and sworn to before me this
12th day of January, 2005.



Notary Public



Notary Public State of Arizona
Yavapai County
Gloria Cole
Expires April 14, 2006

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