

ORIGINAL  
OPEN MEETING



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MEMORANDUM

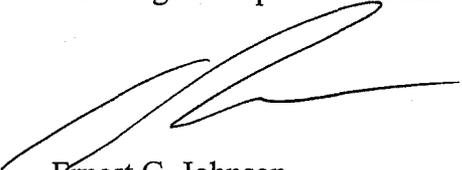
TO: THE COMMISSION

FROM: Utilities Division

DATE: January 3, 2005

RE: IN THE MATTER OF NAVAJO WATER COMPANY, INC. FILING OF A  
CURTAILMENT PLAN TARIFF DOCKET NO. W-03511A-04-0905

On December 17, 2004, Navajo Water Company, Inc. ("Company") filed a curtailment plan tariff. The Company is proposing to add a provision for a "reconnection fee for violation" during the mandatory Stage 3, 4 and 5 conditions, when outdoor watering is prohibited. The Company's proposed tariff differs from Staff's general tariff template that is posted on the Commission's website. Staff needs additional time to complete its review and recommends that the filing be suspended for ninety (90) days.

*f. 01*  
  
Ernest G. Johnson  
Director  
Utilities Division

EGJ:MSJ:cal\DR

ORIGINATOR: Marlin Scott, Jr.

Arizona Corporation Commission

**DOCKETED**

JAN - 3 2005

DOCKETED BY	
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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 MARC SPITZER

Chairman

3 WILLIAM A. MUNDELL

Commissioner

4 JEFF HATCH-MILLER

Commissioner

5 MIKE GLEASON

Commissioner

6 KRISTIN K. MAYES

Commissioner

8 IN THE MATTER OF NAVAJO WATER  
9 COMPANY, INC. – FILING FOR A  
10 CURTAILMENT PLAN TARIFF

DOCKET NO. W-03511A-04-0905

DECISION NO. \_\_\_\_\_

ORDER

11  
12 Open Meeting  
13 January 11 and 12, 2005  
14 Phoenix, Arizona

14 BY THE COMMISSION:

15 FINDINGS OF FACT

16 1. Navajo Water Company, Inc. (“Company”) is certificated to provide water as a  
17 public service corporation in the State of Arizona.

18 2. On December 17, 2004, the Company filed for a curtailment plan tariff.

19 3. The Company is proposing to add a provision for a “reconnection fee for  
20 violation” during the mandatory Stage 3, 4 and 5 conditions, when outdoor watering is  
21 prohibited. The Company’s proposed tariff differs from Staff’s general tariff template that is  
22 posted on the Commission’s website.

23 4. Staff needs additional time to complete its review and recommends that the filing  
24 be suspended for ninety (90) days.

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CONCLUSIONS OF LAW

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1. The Company is an Arizona public service corporation within the meaning of Article XV, Section 2, of the Arizona Constitution.

2. The Commission has jurisdiction over the Company and of the subject matter in this Application.

3. The Commission having reviewed the filing and Staff's Memorandum dated January 3, 2005, concludes that it is in the public interest to suspend the filing for ninety (90) days pursuant to A.R.S. §40-250(B).

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ORDER

IT IS THEREFORE ORDERED that this tariff filing be and is hereby suspended for a period of ninety (90) days, through and including April 16, 2005.

IT IS FURTHER ORDERED that this Order shall become effective immediately.

**BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
BRIAN C. McNEIL  
Executive Secretary

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

EGJ:MSJ:cal/DR

1 SERVICE LIST FOR: Navajo Water Company, Inc.  
2 DOCKET NO. W-03511A-04-0905

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16 Mr. Christopher C. Kempley  
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