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2005 APR 27 P 4: 04  
AZ CORP COMMISSION  
DOCUMENT CONTROL

Arizona Corporation Commission  
**DOCKETED**  
APR 27 2005

**BEFORE THE ARIZONA CORPORATION COMMISSION**

DOCKETED BY *KJ*

6 IN THE MATTER OF THE APPLICATION )  
OF BEARDSLEY WATER COMPANY FOR )  
7 A CERTIFICATE OF CONVENIENCE AND )  
NECESSITY TO PROVIDE WATER )  
8 SERVICE IN MARICOPA COUNTY, )  
ARIZONA. )  
9 )

DOCKET NO. W-02074A-03-0608  
**MOTION TO WITHDRAW APPLICATION**

10 Beardsley Water Company ("Beardsley" or the "Company") hereby files this Motion to  
11 Withdraw its Application in the subject Docket for the reasons stated herein.

12 1. On August 26, 2003, the Company filed an Application to Extend its Certificate  
13 of Convenience and Necessity ("CC&N") in the subject Docket.

14 2. On February 2, 2005, an evidentiary hearing was held regarding that Application.

15 3. On April 8, 2005, the Administrative Law Judge issued a Recommended Order  
16 recommending approval of that Application, with certain conditions.

17 4. On April 15, 2005, the Company received a letter from the Developer,  
18 Manchester Homes, a copy of which is attached hereto as Exhibit 1, indicating that the  
19 Developer had changed its marketing plan and requesting that the Application for the CC&N  
20 extension be withdrawn.

21 5. On or about April 19, 2005, counsel for the Company verbally advised the Staff  
22 Attorney of that letter, and it was agreed that a formal Motion to Withdraw Application should  
23 be filed.

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WHEREFORE, Beardsley respectfully moves that its Application for Extension of its Certificate of Convenience and Necessity be withdrawn, and that the Commission issue an order dismissing the Application and granting such other provisions as the Commission deems appropriate.

RESPECTFULLY submitted this 22 day of April 2005.

SALLQUIST & DRUMMOND, P.C.  
By:   
Richard L. Sallquist  
SALLQUIST & DRUMMOND, P.C.  
4500 S. Lakeshore Drive, Suite 339  
Tempe, AZ 85282  
Attorneys for Beardsley Water Company

Original and fifteen copies of the foregoing filed this 22 day of April, 2005 with:

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

1 Copies of the foregoing were  
2 faxed and mailed  
3 this 22 day of April 2005 to:

3 Hearing Division  
4 Judge Marc Stern  
5 Arizona Corporation Commission  
6 1200 West Washington  
7 Phoenix, Arizona 85007

6 Utilities Division  
7 James Fisher  
8 Arizona Corporation Commission  
9 1200 West Washington  
10 Phoenix, Arizona 85007

9 Legal Division  
10 David Ronald  
11 Arizona Corporation Commission  
12 1200 West Washington  
13 Phoenix, Arizona 85007

12 David Delgado  
13 Manchester Homes  
14 15455 N. Greenway-Hayden Loop, Suite C-1  
15 Scottsdale, Arizona 85260

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**MANCHESTER**  
H O M E S

April 15, 2005

**TRANSMITTED VIA FAX (480) 677-6082 – HARD COPY MAILED**

Mr. Fred T. Wilkinson  
President  
First National Management, Inc.  
P.O. Box 1020  
Apache Junction, AZ 85217-1020

**Re: Beardsley Water Company – Coyote Trails Subdivision  
Request to Withdraw CC&N Expansion Application**

Dear Ted:

On behalf of Manchester Homes, LLC, this letter serves to inform the Beardsley Water Company that our plans for the property located in Section 30, Township 5 North, Range 3 West have changed. Manchester is no longer pursuing development of the Coyote Trails subdivision. It will be sold to five separate owners and will not likely be subdivided.

Further, it is unlikely that the new owners will be requesting water service from the Beardsley Water Company. As such, the pending application to include the land within the Certificate of Convenience and Necessity of the Beardsley is no longer necessary nor desired.

Please file the appropriate paperwork with the Arizona Corporation Commission to withdraw Docket No. W-02074A-03-0608.

We appreciate all of the effort made on Manchester's behalf by the representatives of Beardsley and the ACC and apologize for any inconvenience our change of plans may have caused. Please contact me if you have any questions or need additional information to comply with this request.

Respectfully submitted,

Manchester Homes, LLC



David Delgado

cc: Richard L. Salquist, Esq.