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Phoenix, Arizona 85012
4 Attorneys for Chaparral City Water Company

5
6 **BEFORE THE ARIZONA CORPORATION COMMISSION**

7
8 IN THE MATTER OF THE APPLICATION
9 OF CHAPARRAL CITY WATER
10 COMPANY, INC., AN ARIZONA
11 CORPORATION, FOR AN ORDER
PRELIMINARY TO EXTENSION OF ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY PURSUANT TO A.R.S. § 40-
282.D.

DOCKET NO: W-02113A-05-0178

**CERTIFICATION OF PUBLICATION
AND PROOF OF MAILING**

12 Pursuant to the April 13, 2005 Procedural Order, Chaparral City Water Company
13 ("Chaparral City"), an Arizona public service corporation, hereby submits this
14 Certification of Publication and Proof of Mailing in the above-captioned matter.

15 On May 4, 2005, legal public notice was published in *The Fountain Hills Times*.
16 The affidavit of L. Alan Cruikshank, Publisher of *The Fountain Hills Times*, is attached
17 hereto as Exhibit 1.

18 On or around April 22, 2005, Chaparral City served notice to the property owner
19 within the requested extension area. A copy of the letter to Commissioner Winkleman at
20 the Arizona State Land Department is attached hereto as Exhibit 2.

21 DATED this 12th day of May, 2005.

FENNEMORE CRAIG, P.C.

22
23 Arizona Corporation Commission

24 **DOCKETED**

25 MAY 12 2005

26 DOCKETED BY

By:

Jay L. Shapiro
Norman D. James
Attorneys for Chaparral City Water
Company

1 ORIGINAL and 13 copies filed this 12th day of May, 2005:

2 Docket Control
3 Arizona Corporation Commission
4 1200 West Washington Street
5 Phoenix, Arizona 85007

6 COPY hand-delivered this 12th day of May, 2005:

7 Amanda Pope, ALJ
8 Hearing Division
9 Arizona Corporation Commission
10 1200 West Washington Street
11 Phoenix, Arizona 85007

12 David Ronald, Esq.
13 Legal Division
14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17 Jim Fisher, Executive Consultant
18 Utilities Division
19 Arizona Corporation Commission
20 1200 West Washington Street
21 Phoenix, Arizona 85007

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23
24
25
26
By: Whitney Birk

1666338.1/10696.004

EXHIBIT

1

AFFIDAVIT OF PUBLICATION

THE FOUNTAIN HILLS TIMES

P.O. Box 17869

Fountain Hills, AZ 85269

Voice: (480) 837-1925

Fax: (480) 837-1951

STATE OF ARIZONA
COUNTY OF MARICOPA

L. ALAN CRUIKSHANK, being first duly sworn, upon oath deposes and says that he is the Publisher of *The Fountain Hills Times*, a newspaper of general circulation in the County of Maricopa and the State of Arizona, published at Fountain Hills, Arizona, and that the copy hereto attached is a true copy of the advertisement as published weekly in *The Fountain Hills Times* on the following dates:

05/04/05

PUBLISHER



L. ALAN CRUIKSHANK

SWORN TO BEFORE ME ON THIS 11TH DAY OF MAY, 2005.

NOTARY PUBLIC



KAREN KIRKENDOLL



**PUBLIC NOTICE OF HEARING ON THE APPLICATION
OF CHAPARRAL CITY WATER COMPANY, INC.
FOR AN ORDER PRELIMINARY TO EXTENSION OF ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY PURSUANT TO
A.R.S. § 40-282.D (W-02113A-05-0178)**

On March 10, 2005, Chaparral City Water Company ("Chaparral City" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for an order preliminary to the extension of its Certificate of Convenience and Necessity ("CC&N") pursuant to A.R.S. § 40-282.D, the terms of which would allow Chaparral City to extend its CC&N to include approximately 1300 acres of State Trust land located north of the Town of Fountain Hills and immediately adjacent to Chaparral City's existing CC&N. If the application is granted, the Applicant would be the exclusive provider of water to the proposed area, and would 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 Company, 12021 N. Panorama, Ftn. Hills, AZ., 85268.

The Commission will hold a hearing on this matter beginning **August 16, 2005 at 9:30 a.m.**, at the Commission's office, 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, which motion should be sent to the Applicants or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

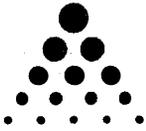
1. The name, address and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Applicants, a shareholder of the Applicants, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicants 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 May 30, 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 potential customer from appearing at the hearing and making a statement on such person's own behalf. You will not, however, receive any further notice of the proceeding unless requested by you.

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 Linda Hogan, ADA Coordinator, 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

EXHIBIT

2



Chaparral City

Water Company

A Subsidiary of American States Water Company

April 22, 2005

Mr. Mark Winkleman
State Land Commissioner
Arizona State Land Department
1616 West Adams, Suite 305
Phoenix, AZ 85007

Certified mail No. 7003 3110 0006 4083 3191

Re: Procedural Order issued by the Arizona Corporation Commission

Dear Commissioner Winkleman:

Chaparral City Water Company (CCWC) has been issued a Procedural Order ("Order") from the Arizona Corporation Commission ("ACC") for our application for an order preliminary to the extension of our Certificate of Convenience & Necessity ("CC&N"). This would allow CCWC to extend its CC&N to include the 1,313 acres of State Trust Land north of the Town of Fountain Hills and adjacent to our existing CC&N.

The Order requires us to mail to the property owner a copy of the public notice included in the Order. Enclosed with this correspondence is the order and public notice. We also plan to publish the legal notice on May 4th in the *Fountain Hills Times* which is prior to the May 6th deadline described in the Order. You will note that the hearing is scheduled for August 16th at 9:30 a.m. at the Commission's offices. Please let me know if you would like me to meet with you or your staff prior to the hearing. You may contact me at (480) 837-3411 ext. 217 with any questions or concerns.

Sincerely,

CHAPARRAL CITY WATER COMPANY

Robert N. Hanford
District Manager

C: Jay Shapiro, Fennemore Craig
Greg Keller, Arizona State Land Department

Enclosure