

ORIGINAL



0000023548

1 COMMISSIONERS RECEIVED

2 Jeff Hatch-Miller - Chairman
William A. Mundell
3 Marc Spitzer
4 Mike Gleason
Kristin K. Mayes

2005 JUL 19 P 1:05
AZ CORP COMMISSION
DOCUMENT CONTROL

6
7 **BEFORE THE ARIZONA CORPORATION COMMISSION**

8 IN THE MATTER OF THE APPLICATION)
9 OF ARIZONA WATER COMPANY FOR) **DOCKET NO. W-01445A-04-0453**
10 AN EXTENSION OF ITS CERTIFICATE)
11 OF CONVENIENCE AND NECESSITY AT) REQUEST FOR ADDITIONAL TIME TO
12 COOLIDGE, PINAL COUNTY, ARIZONA) COMPLY WITH FILING REQUIREMENT
)
)
)
)
)

13
14 On December 3, 2004 the Commission entered Decision No. 67439 in the above-
15 captioned docket. Decision No. 67439 approved the Arizona Water Company's (the "Company")
16 application for an extension of its certificate of convenience and necessity for its Coolidge
17 system. It also contained the following ordering paragraphs:

18 "IT IS THEREFORE ORDERED that the Application of Arizona Water
19 Company for an extension of its Certificate of Convenience and Necessity for
20 the operation of a water utility in the area more fully described in Exhibit A is
21 hereby approved, provided that Arizona Water Company complies with the
22 conditions as set forth in Findings of Fact Nos. 6 and 7 hereinabove."

23 IT IS FURTHER ORDERED that in the event that Arizona Water
24 Company does not timely file the copies of the required documentation as
25 described in Findings of Fact No. 6 and 7 as required by the preceding ordering
26 paragraph, then the extension of its Certificate of Convenience and Necessity
27 shall be deemed to be null and void without further order of the Arizona
28 Corporation Commission."

1 Finding of Fact No. 6 in Decision No. 67439 contained the Staff's recommendations
2 that the Company: (1) charge its existing rates and charges in the proposed extension area; (2)
3 file with Docket Control the main extension agreement associated with the proposed extension
4 area within 365 days of the effective date of any Decision in this matter; (3) file with Docket
5 Control a copy of the ADEQ Certificate of Approval to Construct within 365 days of the
6 effective date of any Decision in this matter; and (4) file a copy of the developer's Certificate of
7 Assured Water Supply, where applicable or when required by statute, within 365 days of the
8 effective date of any Decision in this matter.

9 The Developer of the Cole Farms development has informed the Company that, due
10 to unexpected delays in planning and financing for its development, it will not be ready to
11 proceed with development until some time in late 2006. For this reason, the Company requests
12 that it be given an additional 365 days, until December 3, 2006 to file a copy of the Developer's
13 certificate of assured water supply, the main extension agreement, and the ADEQ certificate of
14 approval to construct. This request should not prejudice any other party, as the Company was
15 the only applicant for a certificate of convenience and necessity for the Cole Farms area

16 RESPECTFULLY SUBMITTED this 19th day of July, 2005.

17 ARIZONA WATER COMPANY

18
19 By: Robert W. Geake
20 Robert W. Geake
21 Vice President and General Counsel
22 ARIZONA WATER COMPANY
23 Post Office Box 29006
24 Phoenix, Arizona 85038-9006
25
26
27
28

1 Original and thirteen (13) copies of the foregoing filed this 19th day of July, 2005 with:

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

6 A copy of the foregoing was mailed this 19th day July, 2005 to:

7 Christopher Kempley, Chief Counsel
8 Legal Division
9 Arizona Corporation Commission
10 1200 West Washington Street
11 Phoenix, Arizona 85007

12 Ernest G. Johnson, Director
13 Utilities Division
14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17
18
19
20
21
22
23
24
25
26
27
28
By: Robert W. Leake