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ARIZONA CORPORATION COMMISSION

06D

August 19, 2005

Ms. Kimberly A. Grouse
Snell & Wilmer L.L.P.
One Arizona Center
400 E. Van Buren
Phoenix, Arizona 85004-2202

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AZ CORP COMMISSION
DOCUMENT CONTROL

RE: WHY UTILITY CO., INC.'s APPLICATION FOR A RATE INCREASE,
DOCKET NO. W-02052A-05-0529

LETTER OF DEFICIENCY

Dear Ms. Grouse:

In reference to the Company's rate application received on July 22, 2005, this letter is to inform you that your application has not met the sufficiency requirements as outlined in Arizona Administrative Code R14-2-103.

Staff has found deficiencies with your application, which are listed on a separate attachment. The 30-day sufficiency determination period will begin anew when the Company corrects the deficiencies and Docket Control receives an original and sixteen copies of the corrected pages. The test year ending December 31, 2004 is acceptable.

You have until September 6, 2005, to correct the deficiencies or make other arrangements with Staff to remedy your rate application.

The Staff person assigned to process your application is Elena Zestrijan. Mrs. Zestrijan can be reached at (602) 542-0831, or toll free at (800) 222-7000, if you have any questions or concerns.

Sincerely,

Jim Dorf
Chief, Financial & Regulatory Analysis Section
Utilities Division

CC: Docket Control Center (sixteen copies)
Lyn Farmer, Hearing Division
Delbert Smith, Engineering
Consumer Services
Legal Division

Snell & Wilmer L.L.P.
Attn: Kimberly Grouse
One Arizona Center
400 E. Van Buren
Phoenix, Az 85004-2202

WHY UTILITY CO., INC.
DOCKET NO. W-02052A-05-0529
RATE INCREASE APPLICATION
LIST OF DEFICIENCIES
August 19, 2005

1. Staff has found that the bill counts submitted by the Company do not generate the revenue reflected in the application.
2. Staff requests that the Company provide copies of one full test year month of all customer bills.
3. Staff has found that the Company is not in compliance with the tariff rates and charges approved by this Commission. Please provide a complete list of the Company's rates and charges.
4. Staff has found that Why Utility Co., Inc. is a non-profit organization. Please provide explanation why income tax expense is reflected on its application.