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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

NOV 20 2002

DOCKETED BY [Signature]

1
2 WILLIAM A. MUNDELL
Chairman
3 JIM IRVIN
Commissioner
4 MARC SPITZER
Commissioner
5

6 IN THE MATTER OF SILVERWELL SERVICE)
CORPORATION REQUEST FOR APPROVAL)
7 OF A CURTAILMENT PLAN TARIFF)
8)
9)

DOCKET NO. W-01979A-02-0791
65416

DECISION NO. _____

ORDER

10 Open Meeting
November 19 and 20, 2002
11 Phoenix, Arizona

12 BY THE COMMISSION:

13 FINDINGS OF FACT

14 1. On October 18, 2002, Silverwell Service Corporation ("Silverwell") filed an application
15 with the Arizona Corporation Commission ("Commission") requesting approval of a curtailment plan.

16 2. On October 24, 2002, Silverwell filed a revised curtailment plan replacing the plan filed
17 on October 18, 2002.

18 3. On October 28, 2002, Silverwell filed a letter in which it agreed to waive the normal
19 30-day time period allowed to process its filing so the filing could be held for the Commission's
20 November 19 and 20, 2002, open meeting.

21 4. The purpose of the curtailment plan is to establish guidelines for the management or
22 restriction of water use by customers when Silverwell is experiencing a water shortage emergency.
23 The curtailment plan proposed by Silverwell is based on Staff's Curtailment Plan Tariff template and
24 is similar to the curtailment plans of other water companies recently approved by this Commission.
25 The curtailment plan will be implemented as a company tariff and will also be incorporated into the
26 Company's Arizona Department of Environmental Quality Emergency Operation Plan.

27 5. Silverwell is a public service corporation which serves development in the Town of
28 Taylor in Navajo County. The Company's water system consists of two wells, one storage tank, two

1 pressure tanks and distribution mains. There are 257 service connections.

2 6. Staff has recommended approval of the curtailment plan tariff filed by the Company on
3 October 24, 2002. Staff has further recommended that this curtailment plan become part of the
4 Arizona Department of Environmental Quality Emergency Operations Plan for Silverwell. Staff
5 has further recommended that Silverwell notify its customers of this new tariff as part of its next
6 regularly scheduled billing or no later than sixty (60) days after the effective date of this order. Staff
7 has further recommended that Silverwell provide a copy of the curtailment tariff to any customer,
8 upon request.

9 CONCLUSIONS OF LAW

10 1. Silverwell Service Corporation is a public service corporation within the meaning of
11 Article XV, Section 2, of the Arizona Constitution.

12 2. The Commission has jurisdiction over Silverwell Service Corporation and the subject
13 matter of the request.

14 3. The Commission, having reviewed the request for approval of the tariff and Staff's
15 Memorandum dated October 31, 2002, concludes that it is in the public interest to approve the tariff
16 filed on October 24, 2002.

17 ORDER

18 IT IS THEREFORE ORDERED that Silverwell is authorized to implement its proposed
19 curtailment plan tariff filed on October 24, 2002.

20 IT IS FURTHER ORDERED that this curtailment plan tariff become part of the Arizona
21 Department of Environmental Quality Emergency Operations Plan for Silverwell.

22 IT IS FURTHER ORDERED that Silverwell shall not implement its curtailment plan tariff
23 until all current customers of Silverwell have been given notice of this tariff. Silverwell shall notify its
24 customers of the tariff authorized herein as part of its next regularly scheduled billing or no later than
25 60 days after the effective date of this Order.

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IT IS FURTHER ORDERED that Silverwell shall provide a copy of the curtailment tariff to any customer, upon request.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION



CHAIRMAN

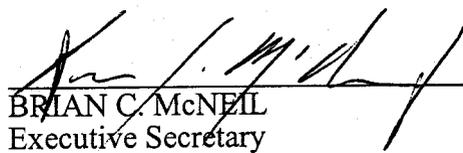


COMMISSIONER



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 20th day of November, 2002.



BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

EGJ:DH:nms\DR

1 SERVICE LIST FOR: Silverwell Service Corporation
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3 Silverwell Service Corporation
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7 Mr. Ernest G. Johnson
8 Director, Utilities Division
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