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BEFORE THE ARIZONA CORPORATION COMMISSION
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COMMISSIONERS

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2005 DEC 14 1P 3:39

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
BEAVER DAM WATER COMPANY FOR
DELETION OF A PORTION OF ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY IN MOHAVE COUNTY, ARIZONA.

DOCKET NO. W-03067A-04-0216

IN THE MATTER OF THE APPLICATION OF
SUNRISE UTILITIES, L.L.C. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER AND
WASTEWATER SERVICE IN MOHAVE
COUNTY, ARIZONA.

DOCKET NO. WS-04247A-04-0604

PROCEDURAL ORDER
NUNC PRO TUNC DECISION NO.
68247

BY THE COMMISSION:

On March 23, 2004, Beaver Dam Water Company ("BDWC") filed with the Arizona Corporation Commission ("Commission") an application requesting the deletion of a small portion of its certificated service area in Mohave County, Arizona. Concurrently with BDWC's filing, Sunrise Utilities, L.L.C. ("Sunrise") filed an application for a Certificate of Convenience and Necessity ("Certificate") with the Commission to provide public water and wastewater utility service to various parts of Mohave County, Arizona, which includes the area included in BDWC's application for deletion.

On October 25, 2005, the Commission issued Decision No. 68247 approving both applications with certain conditions, including that Sunrise be required to file a copy of the Arizona Department of Environmental Quality's ("ADEQ") Certificate of Approval to Construct ("CAC") its arsenic treatment facilities by October 31, 2005.

On November 22, 2005, Sunrise filed a request for retroactive approval for an extension of time of two years, until October 31, 2007, to file a copy of the ADEQ's CAC because additional testing is required to determine whether arsenic removal is needed. The request also stated that the

1 legal descriptions on Exhibit B attached to the Decision are mislabeled and requested that a revised
2 legal description which was included with Sunrise's request replace the original Exhibit B.

3 On November 23, 2005, by Procedural Order, Staff was ordered to file a response by
4 December 9, 2005.

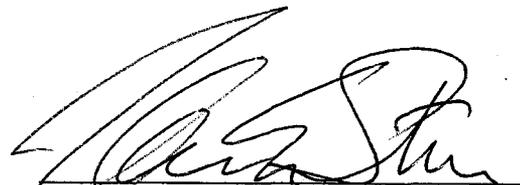
5 On December 9, 2005, Staff filed a response to Sunrise's request for a two year extension of
6 time for testing to determine whether arsenic removal is needed and for approval to replace Exhibit B
7 to Decision No. 68247 with a correctly labeled Exhibit B. Staff agreed to the replacement of Exhibit
8 B to Decision No. 68247 with the correctly labeled Exhibit B attached to this Procedural Order and
9 incorporated herein by reference. However, Staff disagreed with the requested two year extension of
10 time in which Sunrise is to file a copy of its CAC for arsenic facilities, if necessary, and recommends
11 an extension of time be limited to one year from the date of the Decision to show Staff an indication
12 that Sunrise will fulfill a bona fide need for service.

13 Accordingly, Exhibit B to Decision No. 68247 should be replaced with the correctly labeled
14 Exhibit B attached to this Procedural Order and Sunrise should be granted a one year extension of
15 time from the date of the Decision until October 25, 2006, to file a copy of its ADEQ CAC for
16 arsenic treatment facilities, if necessary, to provide water service.

17 IT IS THEREFORE ORDERED that Exhibit B attached to this Procedural Order shall be
18 substituted Nunc Pro Tunc for Exhibit B attached to Decision No. 68247.

19 IT IS FURTHER ORDERED that Sunrise Utilities, L.L.C. shall be, and hereby is, authorized
20 an extension of time until October 25, 2006, to file a copy of its ADEQ CAC for arsenic facilities, if
21 necessary, to provide water service.

22 DATED this 14TH day of December, 2005

23
24 
25 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

26 Copies of the foregoing mailed/delivered
this 14 day of December, 2005 to:

27 Beaver Dam Water Company
28 P.O. Box 550
Beaver Dam, AZ 86432

1 Richard L. Sallquist
SALLQUIST & DRUMMOND
2 2525 E. Arizona Biltmore Circle, Ste. 117
Phoenix, AZ 85016
3 Attorneys for Sunrise Utilities, L.L.C.

4 Stephen Timinskas
P.O. Box 3630
5 Mesquite, NV 89024

6 Christopher Kempley, Chief Counsel
Legal Division
7 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
8 Phoenix, Arizona 85007

9 Ernest Johnson, Director
Utilities Division
10 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
11 Phoenix, Arizona 85007

12
13 By: 
Molly Johnson
14 Secretary to Marc Stern

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**SUNRISE UTILITIES
REVISED CERTIFICATED AREAS**

DOCKET NO. WS-04247A-04-0904 &
DOCKET NO. W-03067A-04-0216

WATER AND WASTEWATER

	OWNER	AREA	SECTION	ACREAGE
1	ARVADA	SE4 SE4	SEC 3	40 Ac
2	D. F. RALL	W2 SE4	SEC 10	80 Ac
3	D. RALL	N2 NW4 NW4	SEC 11	15 Ac
4	D. F. RALL	S2 NW4 NW4	SEC 11	20 Ac *
		NW4 SW4	SEC 11	40 Ac
5	HELLBERG	NE4 NW4	SEC 11	40 Ac
		SW4 SW4 NE4	SEC 11	10 Ac
6	BLACK	SE4 NW4	SEC 11	40 Ac

WASTEWATER ONLY

3	D. RALL	NE4 SW4	SEC 11	30 Ac
5	HELLBERG	NE4 SW4	SEC 11	10 Ac
		SE4 SW4	SEC 11	20 Ac
6	BLACK	SE4 SW4	SEC 11	20 Ac
		N2 NE4	SEC 14	80 Ac
		SE4 NE4	SEC 14	40 Ac
		N2 NE4 NW4	SEC 14	20 Ac *
7	FREHNER	SE4	SEC 11	160 Ac
8	D. RALL	S2 NE4 NW4	SEC 14	20 Ac
		N2 NE4 SW4	SEC 14	20 Ac
			TOTAL	705 Ac

Exhibit B