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BEFORE THE ARIZONA CORPORATION

CARL J. KUNASEK
Chairman
JIM IRVIN
Commissioner
WILLIAM A. MUNDELL
Commissioner

Arizona Corporation Commission

DOCKETED

JUN 13 2000

DOCKETED BY: [Signature]

IN THE MATTER OF THE APPLICATION
OF BELLA VISTA WATER COMPANY, INC.,
FOR A CURTAILMENT PLAN TARIFF IN
THEIR RAIL OAKS SYSTEM

DOCKET NO. W-02465A-00-0329

DECISION NO. 62652

ORDER

Open Meeting
June 6 and 7, 2000
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On May 12, 2000, the Bella Vista Water Company, Inc. (Bella Vista or Company) filed an application with the Commission requesting authority to curtail the water usage of its Rail Oaks System customers.

2. Bella Vista is a public service corporation which provides water utility service to the public in a portion of Cochise County, Arizona.

3. The Rail Oaks System (a portion of Bella Vista) is currently a stand-alone system, with one operating well and a single 100,000-gallon storage tank serving 24 customers.

4. In the application, Bella Vista indicates that the Rail Oaks System's well has been experiencing significant operating drawdown, almost exceeding the depth of the existing well pump. Bella Vista removed the pump and replaced it with a somewhat smaller pump in an effort to minimize the drawdown impact.

5. The storage tank level has declined to 80,000 gallons with the well pumping continuously over several days.

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1 3. The Commission, having reviewed the Application, Staff's Memorandum dated May 23,
2 2000, and the Company's exceptions dated June 1, 2000, concludes that it is in the public interest to
3 approve a curtailment plan tariff as set forth in Exhibit A attached hereto.

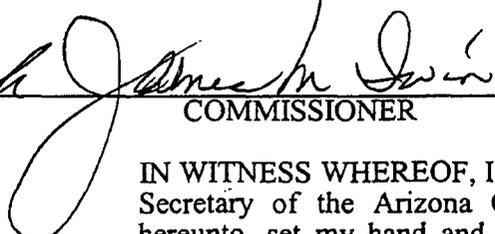
4 ORDER

5 THEREFORE, IT IS ORDERED that Bella Vista be authorized to implement the curtailment
6 plan tariff in its Rail Oaks System attached hereto as Exhibit A.

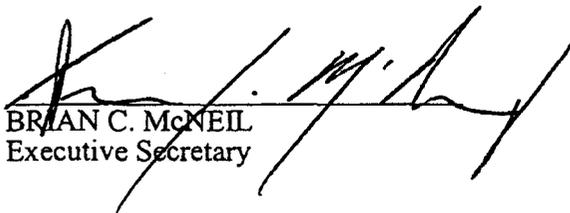
7 IT IS FURTHER ORDERED that Bella Vista within five (5) days from the effective date of
8 this decision file the curtailment plan tariff in its Rail Oaks System attached hereto as Exhibit A within
9 the Utilities Division.

10 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

11
12 **BY ORDER OF THE ARIZONA CORPORATION COMMISSION**

13 
14 CHAIRMAN  COMMISSIONER  COMMISSIONER

15 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
16 Secretary of the Arizona Corporation Commission, have
17 hereunto, set my hand and caused the official seal of this
18 Commission to be affixed at the Capitol, in the City of Phoenix,
19 this 13th day of June, 2000.

20 
21 BRIAN C. McNEIL
22 Executive Secretary

23 DISSENT: _____

24 DRS:JSW:van:lhk
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EXHIBIT A

TARIFF SCHEDULE

UTILITY: Bella Vista Water Co., Inc.

TARIFF SHEET NO.: 10

DOCKET NO.: W-02465A-00-

REPLACES SHEET NO.: N/A

PHONE: (520) 458-5470

DECISION NO.: 62652

EFFECTIVE: June , 2000

NO. 10

CURTAILMENT PLAN FOR RAIL OAKS SYSTEM

A. Authority: The Company is authorized to curtail water service within its Rail Oaks System under the following terms and conditions:

1. Stage 1 exists when:

a. The Company is able to maintain water storage in the Rail Oaks System at 85,000 gallons (or 85% of capacity) and there are no known problems with its well production or water storage in the Rail Oaks System.

Under Stage 1, the Company is deemed to be operating normally and no curtailment is necessary.

2. Stage 2 exists when:

a. The Company's Rail Oaks System total storage has been less than 85,000 gallons (or 85% of capacity) for at least 48 consecutive hours; or

b. The Company has identified issues (such as a steadily declining water table, an increased draw-down threatening pump operations, leaks in the storage tank, poor water production, higher than usual water demand etc.) creating a reasonable belief the Company will be unable to meet anticipated water demand in the Rail Oaks System.

Under Stage 2, the Company may request the customers to voluntarily employ water conservation measures to reduce water consumption, including limiting outside watering to essential water, dividing outside watering on some uniform basis (such as even and odd days) and eliminating outside watering on weekends and holidays.

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3. Stage 3 exists when:

a. The Company's Rail Oaks System total storage has been less than 70,000 gallons (or 70% of capacity) for at least 48 consecutive hours; or

b. The Company is having difficulty maintaining total storage at 80,000 gallons (or 80 % of capacity) for a 24 consecutive hour period and the Company has identified issues (such as a steadily declining water table, an increased draw-down threatening pump operations, leaks in the storage tank, poor water production, higher than usual water demand etc.) creating a reasonable belief the Company will be unable to meet anticipated water demand on a sustained basis.

Under Stage 3 the Company shall request the customers to voluntarily employ water conservation measures and eliminate all outside watering, except livestock, and to employ indoor water conservation techniques wherever possible.

4. Stage 4 exists when:

a. The Company's Rail Oaks System total storage has been less than 60,000 gallons (or 60% of capacity) for at least 48 consecutive hours; or

b. The Company's Rail Oaks System total storage has been less than 50,000 gallons (or 50% of capacity) for at least 24 consecutive hours.

Under Stage 4, the following Mandatory Water Conservation Restrictions shall be in effect after not less than twelve hours notice to the Rail Oaks System customers and the Utilities Division Director of the time Stage 4 will go into effect and the expected duration of Stage 4:

i. Irrigation of outdoor lawns, trees, shrubs, or any plant life is prohibited.

ii. Washing of any vehicle is prohibited;

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PHONE: <u>(520) 458-5470</u>	DECISION NO.: <u>62652</u>
	EFFECTIVE: <u>June , 2000</u>

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- iii. The use of water for dust control or any outdoor cleaning uses is prohibited;
- iv. The use of drip or misting systems of any kind is prohibited;
- v. The filling of any swimming pools, spas, fountains or ornamental ponds is prohibited;
- vi. The filling of storage tanks or any other water hoarding is prohibited;
- vii. Any other outdoor water intensive activity shall be prohibited; and
- viii. No new connections will be permitted.

5. Stage 5 exists when:

- a. The Company's Rail Oaks System total storage has been less than 20,000 gallons (or 20% of total) for at least 24 consecutive hours.

Under Stage 5, in addition to the Stage 4 Mandatory Water Conservation Restrictions, the Company shall:

- i. Utilize its potable tank to haul water and fill the Rail Oaks storage tank in an effort to bring the storage level to between 20,000 and 25,000 gallons; and
- ii. Be authorized to intentionally interrupt water service for up to four (4) consecutive hours, once a day at off peak times (i.e., between the hours of 10:00 p.m. and 4:00 a.m. and 10:00 a.m. and 4:00 p.m.), in an effort to bring the storage level to between 20,000 and 25,000 gallons.
- iii. If storage falls to 10,000 gallons or less, be authorized to intentionally interrupt water service for up to six (6) consecutive hours at any time during the day, in an effort to bring the storage level to between 10,000 and 15,000 gallons.

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B. Notice:

1. Generally. The Company shall provide its Rail Oaks customers notice of Stages 2, 3, 4 and 5 by delivering written notice door-to-door at each service address or by United States First Class Mail, postage prepared, to the billing address or at the Company's option, both. The Notice shall notify the customer of the need to conserve water and the general nature of the problem. The Notice shall also provide a number where questions will be answered. Each customer will receive a copy of this Tariff in the first curtailment notice provided to that customer under this Tariff. Where the Company has provided Notice of a curtailment stage, it will provide Notice that the stage has ended within one (1) business day of its termination.

2. Stages 2 and 3. Notice of Stages 2 and 3 may be provided separately or combined at the Company's option. Such notice shall be provided no later than one (1) business day after the later of:

- a. The effective date of this Tariff; or
- b. The date the storage level has reached the designated level for the designated time period; or
- c. In the case of a combined notice, the date the storage level has dropped below 80,000 gallons for 24 consecutive hours.

3. Stages 4 and 5. Notice of Stages 4 and 5 shall be noticed separately and shall be given to the Company's Rail Oaks customers and the Utilities Division Director not less than twelve hours before the mandatory conservation measures of that Stage is effective. Such Notice shall specify what mandatory water use restrictions are in effect, when the restrictions go into effect, how long the restrictions are likely to be in effect and that violations of the mandatory water use restrictions will subject the customer to immediate termination of water service without further notice; provided, however, persons will receive one warning if notice is provided only by United States mail and the violation occurs within three

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business days of the Notice being placed in the United States mail. The Notice shall also provide a number where violations may be reported and the customer can determine if the restrictions have been lifted.

The Company shall also notify the Consumer Services Section within 4 hours of the reduction from Stages 4 or 5 to any lesser Stage.

C. Any customer terminated for violating a mandatory water use restriction shall pay all applicable tariffs before having service restored. This is in addition to any other remedy that may be available at law or equity for damages arising from the violation of the mandatory water use restrictions.