

ORIGINAL EXCEPTION  
OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION  
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AZ CORP COMMISSION  
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IN THE MATTER OF THE APPLICATION OF  
SANTA ROSA WATER COMPANY FOR AN  
EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
PROVIDE WATER SERVICE IN PINAL  
COUNTY, ARIZONA

DOCKET NO. W-04137A-05-0286

IN THE MATTER OF THE APPLICATION OF  
SANTA ROSA UTILITY COMPANY FOR AN  
EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
PROVIDE WASTEWATER SERVICE IN  
PINAL COUNTY, ARIZONA

DOCKET NO. SW-04136A-05-0287

**STAFF EXCEPTIONS  
TO RECOMMENDED  
OPINION AND ORDER**

On April 18, 2005, Santa Rosa Water Company ("SRWC") and Santa Rosa Utility Company ("SRUC") filed applications to extend their Certificates of Convenience and Necessity ("Certificates"). On October 3, 2005, Administrative Law Judge ("ALJ") Yvette Kinsey issued a Recommended Opinion and Order ("ROO").

Utilities Division Staff ("Staff") of the Arizona Corporation Commission ("Commission") is in general agreement with the ROO. However, Staff has chosen to file these exceptions for clarification. The exceptions deal with the condition that SRWC and SRUC get a copy of the Pinal County Franchise agreement for the extension area. SRWC and SRUC have the franchise agreement for the original CC&N area and for part of the extension area. SRWC and SRUC still need to get a franchise agreement for the remaining extension area. SRWC and SRUC have already applied to get the franchise agreement for the remaining extension area. However, until the above process is complete, Staff respectfully requests that SRWC and SRUC be ordered to follow Staff's suggested franchise agreement condition. Thus, in light of the above, Staff suggests the following changes to the ROO:

1 **Page 6, line 3:**

2 After sentence ending in "matter," add new sentence stating "The specific extension area is  
3 located as follows:

- 4 - SW ¼ of Section 25, Township 5 South, Range 3 East, Gila and Salt River Base and  
5 Meridian, Pinal County; Arizona, 172.74 acres, more or less.  
6 - W1/2 of the SE1/4 and the E1/2 of the SW1/4 of Section 26, Township 5 South, Range 3  
7 East, Gila & Salt River Base and Meridian, Pinal County; Arizona, 168.80 acres, more or  
8 less."

9 **Page 6, line 12:**

10 Delete "and Staff concurred in its Response."

11 Add the following after the word "franchise": "for the existing CC&N. However, Staff's  
12 recommendation that SRWC franchise agreement is necessary for the areas specifically described  
13 above in Finding of Fact No. 16."

14 **Page 6, line 14:**

15 After "reasonable," delete "with the exception that SRWC has already complied with Staff's  
16 condition No. 6."

17 **Page 7, line 7:**

18 Add the following between "Pinal County" and "with Docket" : "for the areas specifically  
19 described above in Finding of Fact No. 16"

20 **Page 7, line 7:**

21 Delete "However, in SRUC's late-filed exhibit SRUC asserted it had already complied with that  
22 condition and Staff's review confirmed its compliance. Therefore, Staff's recommended  
23 condition has been met and is deleted."

24 **Page 10, line 1:**

25 Add the following ordering paragraph:

26 "IT IS FURTHER ORDERED that Santa Rosa Water Company and Santa Rosa Utility  
27 Company shall file a copy of their franchise agreement from Pinal County for the extension area  
28 with Docket Control within 365 days of the Decision in this matter."

1 RESPECTFULLY SUBMITTED this 12<sup>th</sup> day of October, 2005.

2  
3 David Ronald

4 David M. Ronald  
5 Attorney, Legal Division  
6 Arizona Corporation Commission  
7 1200 West Washington Street  
8 Phoenix, Arizona 85007  
9 (602) 542-3402

10 The original and thirteen (13) copies  
11 of the foregoing were filed this  
12 12<sup>th</sup> day of October, 2005 with:

13 Docket Control  
14 Arizona Corporation Commission  
15 1200 West Washington Street  
16 Phoenix, Arizona 85007

17 Copy of the foregoing were mailed this  
18 12<sup>th</sup> day of October, 2005 to:

19 Jim Poulos  
20 General Manager  
21 Santa Rosa Utility Company  
22 9532 East Riggs Road  
23 Sun Lakes, Arizona 85248

24  
25  
26  
27  
28 Nancy Roe