

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

2005 NOV 22 P 3:58

KRISTIN K. MAYES
COMMISSIONER

AZ CORP COMMISSION
DOCUMENT CONTROL

WILLIAM A. MUNDELL
COMMISSIONER

JEFF HATCH-MILLER
CHAIRMAN

MARC SPITZER
COMMISSIONER

MIKE GLEASON
COMMISSIONER

IN THE MATTER OF THE APPLICATION
FOR APPROVAL OF TRANSFER OF
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR JANICE E. WORDEN
AND LAWRENCE A. WORDEN d/b/a
WORDEN WATER COMPANY

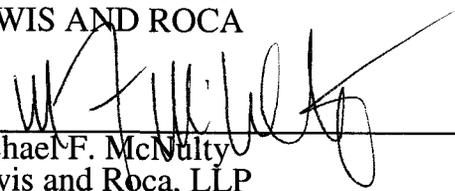
Docket No. W-02221A-05-0505
and
Docket No. W-20391A-05-0505

**NOTICE OF FILING OF
PROPOSED PIMA COUNTY
FRANCHISE**

On November 14, 2005, Ms. Jan Worden and Mr. Lawrence Worden ("Applicants") filed their "Motion To Extend Time; Filing of Pima County Franchise", seeking to expand the time frames otherwise applicable in A.A.C. R14-2-411(C). The attached proposed franchise, attached as Exhibit "A", was inadvertently omitted from that filing, and Applicants herewith provide staff with the franchise.

RESPECTFULLY SUBMITTED this 21st day of November, 2005.

LEWIS AND ROCA


Michael F. McNulty
Lewis and Roca, LLP
One South Church Avenue, Suite 700
Tucson, Arizona 85701-1611
520-629-4453

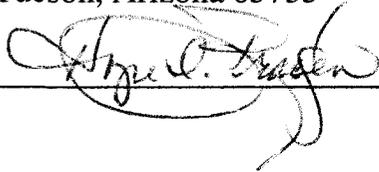
Attorneys for Worden Water Company

1 ORIGINAL AND thirteen (13) copies
2 of the foregoing hand-delivered via DHL
3 this 21st day of November, 2005, to:

4 Arizona Corporation Commission
5 Utilities Division – Docket Control
6 1200 W. Washington Street
7 Phoenix, Arizona 85007

8 COPY of the foregoing delivered via U.S. Mail
9 this 21st day of November, 2005, to:

10 Worden Water Company
11 15150 West Ajo, #568
12 Tucson, Arizona 85735

13 
14
15
16
17
18
19
20
21
22
23
24
25
26



REAL PROPERTY SERVICES
201 N. Stone Avenue, Sixth Floor, Tucson, Arizona 85701-1215
(520) 740-6313 FAX (520) 740-6763

EXHIBIT "A"
W-02221A-05-0505 and
W-20391A-05-0505

August 24, 2005

Michael McNulty
LEWIS & ROCA, LLP
1 South Church, Suite 700
Tucson, Arizona 85701

Re: Assignment of Franchise with Worden Water Company

Dear Mr. McNulty:

Enclosed are three original Consent to Assignment of Nonexclusive Franchise documents. Please have them executed by Janice and Lawrence Worden and returned to me. Upon receipt, I will place them on the next available Board of Supervisors agenda for approval.

If you have any questions, please call me at 740-6713.

Sincerely,

A handwritten signature in cursive script that reads "Dana Hausman".

Dana Hausman
Sr. Administrative Specialist

Enclosures

McNulty.ltr



CONSENT TO ASSIGNMENT OF NONEXCLUSIVE FRANCHISE

WHEREAS, PIMA COUNTY BOARD OF SUPERVISORS, a political subdivision of the State of Arizona, granted to ARTHUR WORDEN (the "Franchisee"), that certain Nonexclusive Franchise known as Resolution No. 1991-105 dated May 14, 1991 (the "Franchise"); and

WHEREAS, Section 22 of the Franchise provides for the transfer of such Franchise upon written approval of the Pima County Board of Supervisors; and

WHEREAS, Franchisee is deceased per the Certificate of Death Number 1307546 filed on March 19, 1997, and recorded in Docket 11395 at Page 686 in the Pima County Recorder's Office, Pima County, Arizona; and

WHEREAS, JANICE E. WORDEN and LAWRENCE A. WORDEN have, since the death of Franchisee, been operating the water company and wish to be recognized as the new Franchisee under the Franchise; and

WHEREAS, Pima County Board of Supervisors has determined that recognition of the transfer of the Franchise and the new Franchisees is in the best interests of the County.

NOW THEREFORE, the parties agree as follows:

1. Pursuant to Section 22 of the Franchise, Pima County Board of Supervisors does hereby consent to the assignment of Franchise, subject to all of the terms and conditions contained in the Franchise.
2. Janice E. Worden and Lawrence A. Worden hereby assume all the obligations and liabilities under the Franchise and shall be bound by all the terms thereof, and this shall be deemed to have been effective as of the date of the death of the original Franchisee.

State of Arizona)
) ss
County of _____)

Lawrence A. Worden

This instrument was acknowledged before me this ____ day of _____, 2005, by
Lawrence A. Worden.

My Commission Expires:

Notary Public

State of Arizona)
) ss
County of _____)

Janice E. Worden

This instrument was acknowledged before me this ____ day of _____, 2005, by
Janice E. Worden.

My Commission Expires:

Notary Public

By: _____
Chair, Pima County Board of Supervisors

Date: _____

ATTEST:

By: _____
Clerk of the Board of Supervisors

Date: _____

Approved as to form:

By: *Regina Lass*
Deputy County Attorney

Date: 8-24-2005