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OPEN MEETING AGENDA ITEM

BEFORE THE ARIZONA CORPORATION

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- 1
- 2 **JEFF HATCH-MILLER**
- 3 **CHAIRMAN**
- 4 **WILLIAM A. MUNDELL**
- 5 **COMMISSIONER**
- 6 **MARC SPITZER**
- 7 **COMMISSIONER**
- 8 **MIKE GLEASON**
- 9 **COMMISSIONER**
- 10 **KRISTIN K. MAYES**
- 11 **COMMISSIONER**

2005 NOV -4 1 A 9 12

AZ CORP COMMISSION
DOCUMENT CONTROL

12 IN THE MATTER OF THE APPLICATION
13 OF WATER UTILITY OF GREATER
14 TONOPAH, INC. FOR AN EXTENSION
15 OF THEIR CERTIFICATE OF
16 CONVENIENCE AND NECESSITY TO
17 PROVIDE WATER SERVICE TO
18 ENCOMPASS ALL OR PORTIONS OF
19 SECTIONS 15, 17 AND 22, T2N, R5W,
20 G&SRB&M, MARICOPA COUNTY
21 ARIZONA (AKA THE HASSAYAMPA
22 RANCH DEVELOPMENT)

DOCKET NO. W-02450A-04-0837

**STAFF'S RESPONSE TO
EXCEPTIONS OF THE WATER
UTILITY OF GREATER
TONOPAH**

23 Administrative Law Judge ("ALJ") Marc Stern issued a Recommended Opinion and
24 Order ("ROO") in the above captioned proceeding on October 19, 2005. Applicant Water
25 Utility of Greater Tonopah ("Greater Tonopah") filed exceptions to the ROO on October 28,
26 2005. Greater Tonopah also filed a Notice of Filing Evidence of Full Compliance with
27 Maricopa County Environmental Services Department ("MCESD") and Proof of Submittal of
28 Arsenic Plans with MCESD on October 28, 2005. Greater Tonopah requested Conditions
Nos. 4 and 5 be eliminated based on the above filings. Staff reviewed the filings and agrees
that the filings satisfy the recommended conditions. Therefore, Staff does not object to
Greater Tonopah's exceptions and request to eliminate Conditions No. 4 and 5.

RESPECTFULLY SUBMITTED this 4th day of November, 2005.

By:

Keith A. Layton
 Attorney, Legal Division
 Arizona Corporation Commission
 1200 West Washington Street
 Phoenix, Arizona 85007
 Telephone: (602) 542-3402

1 Original and Thirteen (13) Copies filed
2 this 4th of November, 2005, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington Street
6 Phoenix, Arizona 85007

7 Copy of the foregoing mailed this
8 4th day of November, 2005, to:

9 William P. Sullivan
10 Curtis, Goodwin, Sullivan,
11 Udall & Schwab, P.L.C.
12 2712 North Seventh Street
13 Phoenix, Arizona 85006-1090
14 Attorneys for Water Utility of Greater Tonopah

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16 Karyn Christine, Executive Legal Assistant

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