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BEFORE THE ARIZONA CORPORATION COMMISSION

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2005 DEC 29 P 4:43

AZ CORP COMMISSION  
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IN THE MATTER OF THE APPLICATION OF  
CAVE CREEK WATER COMPANY FOR  
APPROVAL OF AN EXTENSION OF THEIR  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO INCLUDE PARCEL NO. 216-29-  
002A.

) DOCKET NO. W-01452A-05-0082

IN THE MATTER OF THE APPLICATION OF  
CAVE CREEK WATER COMPANY FOR  
APPROVAL OF AN EXTENSION OF THEIR  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO INCLUDE PARCEL NO. 211-99-  
006.

) DOCKET NO. W-01452A-04-0810

**MOTION TO EXTEND TIME TO  
FILE APPROVAL TO CONSTRUCT**

Cave Creek Water Company (Cave Creek) moves that the Commission grant a six month extension of time to file an Approval to Construct (ATC) for Cave Creek's final arsenic treatment plan. In support of this motion, Cave Creek states:

**I. BACKGROUND.**

The Commission first granted Cave Creek a Certificate of Convenience and Necessity (CC&N) in Decision No. 28958 (May 24, 1955). Cave Creek has a long and successful record of providing water service to its community. Cave Creek has two sources of water: surface water from the Central Arizona Project (CAP), and ground water. Cave Creek recently became a subsidiary of Global Water Resources, LLC. ("Global").

Arizona Corporation Commission

**DOCKETED**

DEC 29 2005

DOCKETED BY	<i>all</i>
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1 The Commission recently extended Cave Creek's CC&N in Decision No. 68190 (Sept. 30,  
2 2005)(*Extension Order*). This extension concerned two small parcels. The first parcel was 9.26  
3 acres, with a planned 5 lot subdivision. (*Extension Order* at 4). The second parcel was 30 acres,  
4 with a planned 9 lot subdivision. (*Id.*) As is customary, the extension was conditioned on Cave  
5 Creek complying with certain requirements. One of these requirements was that Cave Creek file  
6 "a copy of the ATC to be issued by MCDES for the Company's final arsenic treatment plan" by  
7 December 31, 2005.<sup>1</sup> (*Extension Order* at 6).

8 **II. REASONS FOR EXTENSION.**

9 Despite diligent efforts, Cave Creek is unable to meet this deadline. Cave Creek has  
10 diligently pursued a plan to provide quality arsenic treatment at a low cost. Cave Creek, through  
11 consultants, conducted pilot-scale studies of various arsenic treatment methodologies. Cave Creek  
12 selected an arsenic treatment system that employs ferric chloride injection coupled with polymer  
13 injection to coagulate arsenic upstream of the filtering system. The arsenic treatment equipment  
14 has been installed at Cave Creek's water treatment plant.

15 Cave Creek contracted with Damon S. Williams Associates, LLC (DSWA) to provide full  
16 scale testing of this system. Full scale testing provides assurance that the equipment will work as  
17 designed, as well as providing information about the optimal methods of operating the equipment  
18 at the lowest cost. Full sale testing will begin in the first week of January 2006. Results for the  
19 full scale testing are needed before Cave Creek can request an ATC from MCDES.

20 Cave Creek will at all times provide potable water that is in full compliance with the  
21 federal government's new arsenic MCL of 10 ug/L. During this time of year, Cave Creek's  
22 system does not require well water as a source for potable distribution. Instead, Cave Creek  
23 utilizes low-arsenic CAP surface water. Cave Creek will proceed with the full scale testing, and  
24 will submit a request for ATC to MCDES well in advance of any need to use groundwater.

25

26

27 <sup>1</sup> "MCDES" stands for Maricopa County Department of Environmental Services, which exercises authority delegated from the Arizona Department of Environmental Quality.

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1 Only during higher-usage months, or when the CAP canal is out of service, does Cave  
2 Creek need to rely on groundwater. In order to maximize its ability to use surface water, Cave  
3 Creek recently installed a third filter in its water treatment plant. This filter, once approved by  
4 MCDES and placed into service, will further decrease Cave Creek's reliance on groundwater,  
5 consistent with this Commission's sound goal of encouraging water conservation.

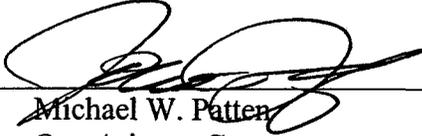
6 Granting this short extension of time is in the public interest. Cave Creek has diligently  
7 pursued the required ACT. Cave Creek will at all times comply with the new Arsenic MCL.  
8 Further, the area granted in the *Extension Order* is small, and will have a minimal impact overall  
9 demand in Cave Creek's system. Thus, nullification of the *Extension Order* would have no impact  
10 on Cave Creek's capacity to deliver potable water in compliance with the new Arsenic MCL. But  
11 nullification would have a severe impact on the property owners who requested service.

12 **III. CONCLUSION.**

13 For these reasons, the six month extension is in the public interest, and this motion should  
14 be granted.

15 RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of December 2005.

16 ROSHKA DEWULF & PATTEN, PLC

17  
18 By 

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24 Original and 15 copies of the foregoing  
25 filed this 29<sup>th</sup> day of December 2005 with:

26 Docket Control  
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Copy of the foregoing hand-delivered/mailed  
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