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FROM: Ernest G. Johnson *EGJ*  
Director  
Utilities Division

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AZ CORP COMMISSION  
DOCUMENT CONTROL

DATE: January 13, 2006

RE: CAVE CREEK WATER COMPANY MOTION FOR ADDITIONAL TIME TO  
COMPLY WITH FILING REQUIREMENTS OF DECISION NO. 68190  
DOCKET NOS. W-01452A-05-0082 AND W-01452A-0~~5~~-0810  
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On September 30, 2005, in Decision No. 67439, the Arizona Corporation Commission approved two extensions of the Certificate of Convenience and Necessity of Cave Creek Water Company ("Cave Creek" or "Company"). One of the requirements set forth in the Decision was for Cave Creek to file a copy of the Approval to Construct ("ATC") issued by Maricopa County for the Company's final arsenic treatment plan by December 31, 2005.

On December 29, 2005, Cave Creek filed a motion to extend time to file the ATC by six months. According to the motion, Cave Creek has conducted pilot studies to determine which arsenic treatment would "provide quality arsenic treatment at a low cost." This statement has been confirmed in a Document from Maricopa County. The Company has chosen a method and contracted with an engineering firm to provide full scale testing during January 2006. Full scale testing is necessary before an Approval to Construct can be requested.

Staff has reviewed the motion, believes Cave Creek has made a good faith effort to comply with the decision, and believes that Cave Creek will continue to work towards receiving an ATC. Staff has no objections to the requested six-month extension of time to comply with the portion of Decision No. 68190 which requires filing of an ATC by December 31, 2005.

EGJ:LAJ:red