

ORIGINAL



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1 FENNEMORE CRAIG, P.C. 2006 JAN 24 P 4: 36
 Jay L. Shapiro
 2 Patrick J. Black
 3003 N. Central Ave. AZ CORP COMMISSION
 Suite 2600 DOCUMENT CONTROL
 Phoenix, Arizona 85012
 4 Attorneys for Black Mountain Sewer Corporation

BEFORE THE ARIZONA CORPORATION COMMISSION

7 IN THE MATTER OF THE
 APPLICATION OF BLACK
 8 MOUNTAIN SEWER
 CORPORATION, AN ARIZONA
 CORPORATION, FOR A
 9 DETERMINATION OF THE FAIR
 10 VALUE OF ITS UTILITY PLANT
 AND PROPERTY AND FOR
 11 INCREASES IN ITS RATES AND
 CHARGES FOR UTILITY SERVICE
 12 BASED THEREON.

DOCKET NO: SW-02361A-05-0657

CERTIFICATION OF PUBLICATION AND PROOF OF MAILING

13 Pursuant to the November 2, 2005 Procedural Order, Black Mountain Sewer
 14 Corporation ("Black Mountain"), an Arizona corporation, hereby submits this
 15 Certification of Publication and Proof of Mailing in the above-captioned matter.

16 On January 11, 2006, legal public notice was published in the *Sonoran News*. On
 17 January 12, 2006, legal public notice was published in *The Gila Bend Sun*. The affidavit
 18 of Glen Birchfield, editor and publisher of *The Gila Bend Sun*, is attached hereto as
 19 Exhibit 1.

20 On December 1, 2005, Black Mountain mailed notification to customers. A copy
 21 of the postage statement is attached hereto as Exhibit 2.

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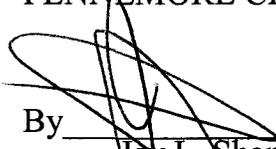
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RESPECTFULLY SUBMITTED this 24th day of January, 2006.

FENNEMORE CRAIG, P.C.



By _____
Jay L. Shapiro
Patrick J. Black
3003 North Central Avenue
Suite 2600
Phoenix, Arizona 85012
Attorneys for Black Mountain
Sewer Company

ORIGINAL and thirteen (13) copies of the
foregoing were delivered
this 24th day of January, 2006, to:

Docket Control
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

COPIES hand delivered this 24th
day of January, 2006 to:

Teena Wolfe
Administrative Law Judge
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Keith Layton
Staff Counsel
Legal Division
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

And a copy mailed this 24th
day of January, 2006 to:

Daniel Pozefsky
Residential Utility Consumer Office
1110 W. Washington, Suite 220
Phoenix, AZ 85007

By: Mary House
1754733.1

EXHIBIT

1

PUBLIC NOTICE

Public Notice Of Hearing On The Applications Of Black Mountain Sewer Company For an Increase in Its Rates
Docket No. SW-02361A-05-0657

On September 16, 2005, Black Mountain Sewer Company ("Applicant") filed an application with the Arizona Corporation Commission for an increase in its rates. The Company has proposed an increase in revenues of 13.52 percent, which, if approved, would result in an increase in rates for the average residential customer of 13.66 percent. The rates ultimately approved by the Commission may be higher or lower than those proposed by the Company. Copies of the Company's application and proposed tariffs are available at its offices at 12725 W. Indian School Road, Bldg. D101, Avondale, AZ 85323 and at the Commission's offices in the Docket Control Center for public inspection during regular business hours. Alternative recommendations and proposals which may be filed by other parties to the proceeding will also be available at those locations for public inspection during regular business hours.

The Commission will hold a hearing on this matter beginning at 10:00 a.m. on June 7, 2006, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you would like to intervene, you must file a written motion to intervene with the Commission, and you must send copies of the motion to the Applicant or its counsel, and to all parties of record in the case. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom documents are to be served in your place, if desired.
2. A short statement of your interest in the proceeding (e.g., a customer of Applicant, a shareholder of the Applicant, etc.).
3. A statement certifying that a copy of your motion to intervene has been mailed to Applicant or its counsel and to all parties of record in the case. (Names and addresses of parties of record are available at the Commission's offices in the Docket Control Center.)

Arizona Administrative Code R14-3-105 governs the granting of intervention, except that all motions to intervene must be filed on or before February 16, 2006. The granting of intervention, among other things, will entitle an intervener to present sworn evidence at hearing and to cross-examine other witnesses, and to be mailed copies of all filings made in the case. You do not need to intervene in order to appear at the hearing and make a statement for the record, or to file written comments in the record of the case.

If you have any questions or concerns about this application or have any objections to its approval, or wish to make a statement in support of it, you may write the Consumer Services Section of the Commission at 1200 W. Washington St., Phoenix, AZ 85007, call 1-800-222-7000, or appear at the hearing and provide comment.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-3931, E-mail lhogan@azcc.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

Published in Sonoran News January 11, 2006
Published in Gila Bend Sun January 12, 2006

AFFIDAVIT OF PUBLICATION

State of Arizona

ss

County of Maricopa

I, Glen Birchfield, editor and publisher of

The Gila Bend Sun,

a newspaper in general circulation, printed and published in the Town of Gila Bend, County of Maricopa, State of Arizona, do solemnly swear that a copy of the above notice is the matter of

Public Notice of Hearing

for

Black Mountain Sewer Company

Docket No. SW-02361A-05-0657

as per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement hereof, for a period of one consecutive week(s) as follows, to-wit

January 12, 2006

Glen Birchfield

Glen Birchfield

Subscribed and sworn to before me,

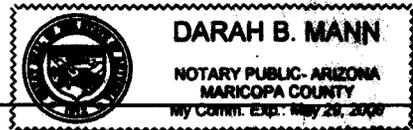
this.....12.....day of.....January.....2006

Darah B Mann

Notary Public

My Commission expires:

May 29, 2005



cc: Sonoran News

EXHIBIT

2



***** WELCOME TO *****
LITCHFIELD PARK MPO
LITCHFIELD PARK, AZ 85340-9998
12/01/05 11:01AM

Store USPS	Trans	56
Wkstn sys5003	Cashier	KFSOC7
Cashier's Name	JOHN	
Stock Unit Id	SSA04	
PO Phone Number	800-275-8777	
USPS #	0363680384	

1. Prsrt 1st-C1 PI	649.44
**** Paid In ****	
AIC Number: 0121	
2. Cust Permit W/D	649.44
**** Paid Out ****	
AIC Number: 0470	

Subtotal	0.00
Total	0.00

Number of Items Sold: 0

Thank You
Please come again!

Postage Statement — First-Class Mail
Permit Imprint

BANKRUPT
2557.02

Post Office: Note Mail Arrival Time

Mailer Information Permit Holder's Name and Address, and Email Address If Any Telephone (623) 935-9367 Name and Address of Mailing Agent (if other than permit holder) Telephone Name and Address of Individual or Organization for Which Mailing is Prepared (if other than permit holder)	Black Mountain Sewer Company PO Box 2586 Litchfield Park, AZ 85340	Dun & Bradstreet No.
	CAF Dun	Dun & Bradstreet No.

Mailing Information Post Office of Mailing Litchfield Park Processing Category (DMM C050) <input type="checkbox"/> Letters <input type="checkbox"/> Flats <input type="checkbox"/> Automation Flats (DMM C820) <input type="checkbox"/> Parcels Mailing Date 12-1-05 Federal Agency Cost Code Statement Seq. No. Number of Containers 4	Permit No. 707 Weight of a Single Piece 0 pound Total Pieces 1845 Total Weight 436.72
For Mail Enclosed Within Another Class <input type="checkbox"/> Periodicals <input type="checkbox"/> Standard Mail <input type="checkbox"/> Bound Printed Matter <input type="checkbox"/> Library Mail <input type="checkbox"/> Media Mail <input type="checkbox"/> Parcel Post	For Automation Rate Pieces, Enter Date of Address Matching and Coding (DMM A950.3.0) ___/___/___ For Automation Carrier Route Rate Pieces, Enter Date of Address Matching and Coding (DMM A950.3.0) ___/___/___

For Automation Letters	Total From Part A (On reverse)	
For Automation Flats	Total From Part B (On reverse)	
For Nonautomation Letters, Flats, and Parcels	Total From Part C (On reverse)	649.44
For Automation and Nonautomation Cards	Total From Part D (On reverse)	
For Special Services and Other Fees	Total From Attached Form 3540-S	
Postmaster: Report total postage in AIC 121.	Total Postage (Add lines above)	649.44
For USPS Use Only: Additional Postage Payment (State reason)		
Postmaster: Report total adjusted postage in AIC 121.	Total Adjusted Postage (Add additional postage to total postage)	

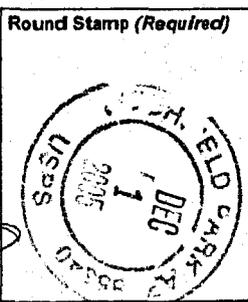
Certification

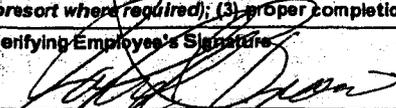
The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer, and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control.

The mailer hereby certifies that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and that the mailing qualifies for the rates and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation.

I understand that anyone who furnishes false or misleading information on this form or who omits information requested on this form may be subject to criminal and/or civil penalties, including fines and imprisonment.

Signature of Mailer or Agent <i>Annette Heinisch</i>	Name of Mailer or Agent Annette Heinisch	Telephone (623) 298-3743
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Weight of a Single Piece 0.3502 pound Are figures at left adjusted from mailer's entries? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Reason	Total Pieces 1845 Total Weight 436.7202
Total Postage 649.44	Round Stamp (Required) 

Check One (if applicable) <input type="checkbox"/> Presort Verification Not Scheduled <input type="checkbox"/> Presort Verification Performed as Scheduled	Date Mailer Notified Contact By (Initials)
I CERTIFY that this mailing has been inspected concerning: (1) eligibility for postage rates claimed; (2) proper preparation (and presort where required); (3) proper completion of postage statement; and (4) payment of annual fee (if required).	
Verifying Employee's Signature 	Verifying Employee's Name Time 1105 AM

First-Class Mail — Permit Imprint

Presort / Automation Discounts	Rate	Number of Pieces	Total
A Automation Rates — Letters (DMM C810)			
Carrier Route	_____ x _____	pcs. = \$ _____	
5-Digit	_____ x _____	pcs. = \$ _____	
3-Digit	_____ x _____	pcs. = \$ _____	
AADC	_____ x _____	pcs. = \$ _____	
Mixed AADC	_____ x _____	pcs. = \$ _____	
Total — Part A (Carry to front of form)			\$ _____

Presort / Automation Discounts	Rate	Number of Pieces	Total
B Automation Rates — Flats (DMM C820)			
B1 5-Digit	_____ x _____	pcs. = \$ _____	
B2 3-Digit	_____ x _____	pcs. = \$ _____	
B3 ADC	_____ x _____	pcs. = \$ _____	
B4 Mixed ADC	_____ x _____	pcs. = \$ _____	
B5 Nonmachinable Surcharge <i>(For pieces 1 oz. or less; see DMM E130)</i>	.055 x _____	pcs. = \$ _____	
Total — Part B (Carry to front of form)			\$ _____

C Nonautomation Rates — Letters, Flats, and Parcels (DMM C050)			
Presorted	<u>.352</u> x <u>1845</u>	pcs. = \$ <u>649.44</u>	
Single-Piece	_____ x _____	pcs. = \$ _____	
Nonmachinable Surcharge <i>(For pieces 1 oz. or less; see DMM E130)</i>			
Presorted	.055 x _____	pcs. = \$ _____	
Single-Piece	.120 x _____	pcs. = \$ _____	
Standard Mail <i>(DMM E620)</i>			
Single-Piece	_____ x _____	pcs. = \$ _____	
Nonmachinable Surcharge <i>(For pieces 1 oz. or less; see DMM E130)</i>			
Single-Piece	.120 x _____	pcs. = \$ _____	
Total — Part C (Carry to front of form)			\$ <u>649.44</u>

D Cards Eligible for Card Rates (DMM C100)			
Automation Rates <i>(DMM C810)</i>			
D1 Carrier Route	.170 x _____	pcs. = \$ _____	
D2 5-Digit	.176 x _____	pcs. = \$ _____	
D3 3-Digit	.183 x _____	pcs. = \$ _____	
D4 AADC	.187 x _____	pcs. = \$ _____	
D5 Mixed AADC	.194 x _____	pcs. = \$ _____	
Nonautomation Rates			
D6 Presorted	.212 x _____	pcs. = \$ _____	
D7 Single-Piece	.230 x _____	pcs. = \$ _____	
Total — Part D (Carry to front of form)			\$ _____

PUBLIC NOTICE OF HEARING ON THE APPLICATION OF BLACK MOUNTAIN SEWER COMPANY FOR AN INCREASE IN ITS RATES
Docket No. SW-02361A-05-0657

On September 16, 2005, Black Mountain Sewer Company ("Applicant") filed an application with the Arizona Corporation Commission for an increase in its rates. The Company has proposed an increase in revenues of 13.52 percent, which, if approved, would result in an increase in rates for the average residential customer of 13.66 percent. The rates ultimately approved by the Commission may be higher or lower than those proposed by the Company. Copies of the Company's application and proposed tariffs are available at its offices at 12725 W. Indian School Road, Bldg. D101, Avondale, AZ 85323 and at the Commission's offices in the Docket Control Center for public inspection during regular business hours. Alternative recommendations and proposals which may be filed by other parties to the proceeding will also be available at those locations for public inspection during regular business hours.

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1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom documents are to be served in your place, if desired.
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