



0000041271

ORIGINAL



06 me

COMMISSIONERS
JEFF HATCH-MILLER - Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

ARIZONA CORPORATION COMMISSION

March 16, 2006

RE: Perkins Mountain Water Company
Docket Nos. W-20380A-05-0490 and SW-20379A-05-0489

Dear Colleagues and Parties to the Docket:

The Commission has recently become aware of the possibility of inadequate water supply in connection with each of these dockets. In her February 17, 2006 letter, Commissioner Mayes made some excellent points regarding the insufficiency of the record regarding water supply, which is a critical issue in these two Applications.

Another concern in granting a CC&N(s) is whether an applicant is a fit and proper entity. It has come to my attention that a Federal agency has made a recent negative determination with regard to an individual affiliated with the Applicant. In each of the Applications, exhibits are attached that contain the formal corporate documents of the Applicant. But neither of the Applications, nor the record in this case contains evidence relating to Applicant's litigation history and business dealings, nor those of its affiliated entities or individuals.

This further bolsters the argument that these matters should be sent back to hearing to supplement the record. If the two Applications are sent back to hearing, I intend to ask whether there exist any past or present civil and/or criminal legal matters relating to Applicant, its affiliated entities and individuals that bear on the Applicant's fitness and propriety.

Very truly yours,

Marc Spitzer, Commissioner
Arizona Corporation Commission

Cc: Docket Control
All Parties of Record

RECEIVED
2006 MAR 16 P 12:31
AZ CORP COMMISSION
DOCUMENT CONTROL