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JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

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BRIAN C. McNEIL
EXECUTIVE SECRETARY

2002 OCT 24 A 9 31 ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
DOCUMENT CONTROL October 24, 2002

Arizona Corporation Commission

DOCKETED

OCT 24 2002

Commissioner Jim Irvin
Commissioner Marc Spitzer
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

DOCKETED BY	<i>WAM</i>
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Re: Sun City Water Company and Sun City West Utility Company;
Docket Numbers W-01656A-98-0577 & SW-02334A-98-0577

Dear Colleagues:

The Sun City Taxpayers Association (SCTA) in its May 29, 2002 Exceptions to the Recommended Opinion and Order stated that hydrologic responses were being detected as far as four miles downstream of the Agua Fria Recharge Facility blow-off structure. My original request was to secure an independent analysis of whether recharge operations at the Agua Fria facility would ultimately benefit the Sun Cities' aquifer. The idea was predicated on the expected availability of expert testimony and/or documentary evidence being presented by a neutral entity such as the Arizona Department of Water Resources or the Central Arizona Water Conservation District. Shortly after I made my request, the director of ADWR filed a letter in support of the CAP project, which was no doubt sincere, but nevertheless transformed that agency into a supporter of the pipeline, instead of a non-aligned expert.

At the procedural conference on July 16, 2002, the SCTA was given time to either hire or subpoena an expert witness so that testimony/evidence could be introduced into the record supporting its assertion that recharge along was adequate, thereby making construction of the pipeline unnecessary. Ultimately, SCTA filed pleadings which stated that it would not be calling any witnesses to support the issue raised in its exceptions.

I am satisfied that my effort to slow down the process has given all parties ample opportunity to introduce evidence into the record supporting their respective positions. I am now prepared to schedule an Open Meeting so that this matter can be voted on and resolved. I am requesting that the Executive Secretary contact your offices to schedule an open meeting prior to the end of the year.

Thank you for your indulgence of my prior request. I look forward to the discussion and resolution of this matter at the Open Meeting.

Sincerely,

William A. Mundell
Chairman

cc: Brian McNeil
Lyn Farmer
Chris Kempley
Ernest Johnson
All parties of record

06cc