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MEMORANDUM
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TO: Docket Control 2006 JUN -8 ' A 10: 33
FROM: Ernest G. Johnson
Director
Utilities Division
AZ CORP COMMISSION
DOCUMENT CONTROL

DATE: June 8, 2006

RE: APPLICATION OF BEARDSLEY WATER COMPANY FOR APPROVAL OF THE DELETION OF A PORTION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY (DOCKET NO. W-02074A-06-0095)

On May 8, 2006, a hearing was held in the subject docket. On May 22, 2006, Beardsley Water Company ("Beardsley") filed a Notice of Filing Approvals of Construction and Curtailment Tariff and Request for Staff Assistance. On May 22, 2006, Staff sent a compliance status request to Maricopa County. During the week of May 30, 2006, Staff (Mr. Del Smith, Engineering Section) and a representative from Maricopa County discussed Beardsley's compliance. The Maricopa County representative indicated that it could be an administrative issue, but that Maricopa County records show that there were outstanding approvals of construction concerning a tank and well for Beardsley's Public Water System number 07-517. These approvals of construction were not included in Beardsley's May 22, 2006, filing with the Commission. On June 7, 2006, Staff received the attached Maricopa County Environmental Services Department ("MCESD") Public Water System Compliance Status Report for Public Water System number 07-517 which shows the system is now compliant. The table below, which was included in Exhibit 2 of the Staff report filed in this matter on April 19, 2006, has been updated to reflect the latest MCESD compliance status for each of the Beardsley systems.

PWS Number	Meets Water Quality Standards	Compliance Status and Date	Deficiencies
07-007	Yes	Compliant 4/27/06	None
07-509	Yes	Compliant 3/28/06	None
07-511	Deactivated*	NA	NA
07-517	Yes	Compliant 6/7/06	None
07-528	Yes	Compliant 4/19/06	None

*System was classified as deactivated by MCESD on September 26, 2005 because it has less than 15 service connections and is therefore not considered a public water system subject to applicable MCESD requirements and regulations.

Staff has reviewed the curtailment tariff included in Beardsley's May 22, 2006, filing and recommends that it be approved. Staff recommends that Beardsley's revised tariff be filed as a compliance item within 45 days of the final decision in this matter.

Based on the new compliance information Staff is no longer recommending that the Commission authorize Staff to begin an Order to Show Cause proceeding against Beardsley. Staff continues to believe it is in the public interest to approve the deletion and recommends approval.

EGJ:DWS:tdp

Service List for: Beardsley Water Company
Docket No.: W-02074A-06-0095

Mr. Steven A. Hirsch
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Two North Central Avenue, Suite 2200
Phoenix, Arizona 85004-4406

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Ms. Lyn Farmer
Chief, Hearing Division
Arizona Corporation Commission
1200 West Washington Street
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Maricopa County
Environmental Services Department

PUBLIC WATER SYSTEM COMPLIANCE STATUS REPORT

System Name: Beardsley Water Co., #4
PWS ID#: 07-517

Type of System: Community Number of EPDS's: 1 Surface Water: N/A
Number of Service Connections: 121 Population Served: 340

Assigned Monitoring Dates - Initial: 1/1/04 Phase II: 1/1/04 Phase V: 1/1/04

Does the water system have a Certified Operator? yes

Does the system have major treatment plant deficiencies? No
Please describe: _____

Date of last Sanitary Survey: April 26, 2006

Does the system have major O & M deficiencies? No
Please describe: _____

Does the system have water quality monitoring/reporting deficiencies? No
Please describe: _____

General Public Water System Compliance Status? Compliant

Date of compliance review: June 7, 2006 By: Doug Taylor, R.S. Initials: DT
Phone: (602) 506-6631

Requested By: Del Smith
Supervisor Initials: [Signature]

Fax Number/ Contact: dsmith@azcc.gov Tracking Number: 1158
Date: 6-8-06

Drinking Water Program
John Kolman, Manager

1001 N. Central Ave., Suite 150 Phoenix, Arizona 85004-1940 Phone: (602) 506-6666 Fax: (602) 506-6925

ARIZONA CORPORATION COMMISSION STATUS REQUEST

TO:

DATE: May 22, 2006

Maricopa County Environmental Services Department
Drinking Water Program Supervisor Attention: Jenny Young
1001 N. Central Ave. Suite 150
Phoenix, AZ 85004-1935
Phone 602-506-6666
Fax 602-506-6925

Please Return the Completed Request Form to Del Smith (Tel: 602-542-7277 Fax: 602-542-0766)
Water Company Name: Beardsley Water Co.
PWS I.D. Number: 07-517

Compliance Status Report

Overall Compliance Status: No Major Deficiencies Major Deficiencies
Comments:

Monitoring and Reporting Deficiencies: No Deficiencies Major Deficiencies
List deficiencies:

Operation and Maintenance Deficiencies: No Deficiencies Major Deficiencies
Date of last inspection / sanitary survey: _____

Major Operation and Maintenance Deficiencies cited during inspection

- None
- unable to maintain 20 psi
- inadequate storage
- cross connection/backflow problems
- surface water treatment rule
- treatment deficiencies
- approval of construction
- certified operator
- other

Comments:

Enforcement Action:

Has enforcement action been taken? Yes No
Is water system in compliance with Consent / Compliance Orders / Agreements? Yes No
Comments:

System Information:

Number of Points of Entry 1 Population Served 340 Connections Served 121

Compliance Review Conducted by: Doug Taylor R.S.

Phone: 602-506-6631 Date: June 7, 2006

Based on data submitted by the water system, Maricopa County Drinking Water Program has determined that this system is currently delivering water that ~~(meets)~~ does not meet water quality standards required by Arizona Administrative Code, Title 18, Chapter 4. This compliance status report does not guarantee the water quality for this system in the future. This compliance status report does not reflect the status of any other water system owned or operated by this utility company.