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LEGAL DIV.  
ARIZ. CORPORATION COMMISSION

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Kimberly A. Grouse  
kgrouse@swlaw.com

July 17, 2006

Arizona Corporation Commission  
**DOCKETED**

JUL 21 2006

DOCKETED BY NE

David M. Ronald  
Attorney  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

Re: Perkins Mountain Water Co. Application for CC&N, Docket No. W-20380A-05-0490;  
Perkins Mountain Utility Co. Application for CC&N, Docket No. SW-20379A-05-0489

Dear David:

On June 30, 2006, we received Staff's First Set of Data Requests to Rhodes Homes in the above-referenced matter. Rhodes Homes is not a public service corporation, is not a party to this matter, and the Commission does not have jurisdiction over Rhodes Homes<sup>1</sup>. Accordingly, Rhodes Homes will not be responding to these data requests.

Perkins Mountain Water Company and Perkins Mountain Utility Company (collectively, "Perkins") will respond to the questions that Staff has asked of Rhodes Homes, but only with respect to those questions that pertain to Perkins. These responses are on behalf of Perkins, not on behalf of Rhodes Homes.

Very truly yours,

Snell & Wilmer L.L.P.  
Jeffrey W. Crockett  
Kimberly A. Grouse

KAG:bjw

cc: Blessing N. Chukwu

<sup>1</sup> See, *Williams v Ariz. Corp. Com'n*, 102 Ariz. 382, 383, 430 P.2d 144, 145 (1967); *Southwest Gas Corporation v Arizona Corporation Commission*, 169 Ariz. 279, 286, 818 P.2d 714, 721 (Ariz. Ct. App. 1991); *Arizona Corporation Commission v Nicholson*, 108 Ariz. 317, 321, 497 P.2d 815, 819 (Ariz. 1972) (quoting *General Alarm v. Underdown*, 76 Ariz. 235, 262 P.2d 671, 672 (Ariz. 1953)).

**FILE COPY**

**RESPONSES OF PERKINS MOUNTAIN WATER COMPANY AND  
PERKINS MOUNTAIN UTILITY COMPANY TO  
ARIZONA CORPORATION COMMISSION STAFF'S  
FIRST SET OF DATA REQUESTS TO RHODES HOMES IN  
DOCKET NOS. W-20380A-05-0489 AND SW-20379A-05-0490  
JUNE 28, 2006**

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**BNC 1.1** Has Rhodes Homes begun grading of land, construction of model homes, and the installation of utility infrastructure at Golden Valley South? Please explain.

**Response:** Rhodes Homes is not a party to this matter and will not be responding. The following response is provided on behalf of Perkins Mountain Water Company and Perkins Mountain Utility Company.

See Perkins Mountain Water and Perkins Mountain Utility Companies' May 26, 2006 letter to Commissioner Mundell and July 10, 2006 letters to Commissioner Mayes.

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**BNC 1.2** Please explain the reasons that Rhodes Homes is not currently acting as a public service corporation by constructing the water infrastructure that will eventually serve the Golden Valley South development.

**Response:** Rhodes Homes is not a party to this matter and will not be responding. The following response is provided on behalf of Perkins Mountain Water Company and Perkins Mountain Utility Company.

See Perkins Mountain Water and Perkins Mountain Utility Companies' May 26, 2006 letter to Commissioner Mundell and July 10, 2006 letters to Commissioner Mayes.

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**BNC 1.3** Please explain why Rhodes Homes believes that it is not currently in violation of ARS § 40-281.

**Response:** Rhodes Homes is not a party to this matter and will not be responding. The following response is provided on behalf of Perkins Mountain Water Company and Perkins Mountain Utility Company.

See Perkins Mountain Water and Perkins Mountain Utility Companies' July 10, 2006 letter to Commissioner Mayes.

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**BNC 1.4**            Are Rhodes Homes Arizona, LLC and Perkins Mountain Utility Company operated from the same premises? Please explain.

**Response:**       Rhodes Homes is not a party to this matter and will not be responding. The following response is provided on behalf of Perkins Mountain Water Company and Perkins Mountain Utility Company.

Perkins Mountain Utility Company is not yet in operation. Perkins Mountain Utility Company believes it would be imprudent to establish and pay for office space until such time as it begins operations. For additional information, see Perkins Mountain Utility Company's July 10, 2006 letter to Commissioner Mayes.

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**BNC 1.5**      Are Rhodes Homes Arizona, LLC and Perkins Mountain Utility Company operated by the same individuals? Please explain.

**Response:**      Rhodes Homes is not a party to this matter and will not be responding. The following response is provided on behalf of Perkins Mountain Water Company and Perkins Mountain Utility Company.

As stated in its July 7, 2005 application for a certificate of convenience and necessity, Mr. Ray Jones, who is certified by the Department of Environmental Quality as a Grade 3 Water Treatment Plant Operator and a Grade 3 Water Distribution System Operator, has been retained as the contract operator for Perkins Mountain Utility Company. Mr. Jones has no affiliation with Rhodes Homes Arizona, LLC.

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**BNC 1.6** Are Rhodes Homes Arizona, LLC and Perkins Mountain Water Company operated from the same premises? Please explain.

**Response:** Rhodes Homes is not a party to this matter and will not be responding. The following response is provided on behalf of Perkins Mountain Water Company and Perkins Mountain Utility Company.

Perkins Mountain Water Company is not yet in operation. Perkins Mountain Water Company believes it would be imprudent to establish and pay for office space until such time as it begins operations. For additional information, see Perkins Mountain Water Company's July 10, 2006 letter to Commissioner Mayes.

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**BNC 1.7**      Are Rhodes Homes Arizona, LLC and Perkins Mountain Water Company operated by the same individuals? Please explain.

**Response:**      Rhodes Homes is not a party to this matter and will not be responding. The following response is provided on behalf of Perkins Mountain Water Company and Perkins Mountain Utility Company.

As stated in its July 7, 2005 application for a certificate of convenience and necessity, Mr. Ray Jones, who is certified by the Department of Environmental Quality as a Grade 3 Water Treatment Plant Operator and a Grade 3 Water Distribution System Operator, has been retained as the contract operator for Perkins Mountain Water Company. Mr. Jones has no affiliation with Rhodes Homes Arizona, LLC.

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