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BEFORE THE ARIZONA CORPORATION COMMISSION

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

2006 JUL 24 P 4: 39

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

JUL 24 2006

DOCKETED BY	MR
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IN THE MATTER OF THE APPLICATION) DOCKET NO. W-01157A-05-0706
OF WEST END WATER COMPANY FOR)
EXTENSION OF EXISTING CERTIFICATE) MOTION TO ADMIT REQUEST
OF CONVENIENCE AND NECESSITY) FOR SERVICE AND WILL
) SERVE LETTERS
)

The City of Surprise ("the City" or "Surprise") moves for admission of the July 14, 2006 letter from Woodside Homes requesting service from the City, attached as Exhibit A to the City's Notice of Filing of Request for Service and Will Serve Letter ("Notice"), and the July 17, 2006 "will serve" letter from the City, sent in response to the request for service, attached as Exhibit B to the Notice.

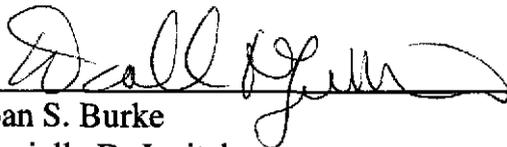
This Motion is supported by the Affidavit of Richard Williams, filed contemporaneously with this Motion. Mr. Williams attests to the authenticity of the two exhibits, swearing that each represents a true and correct copy of the letter he either received or sent. Furthermore, during the hearing the Administrative Law Judge ordered that she be updated regarding the request for service. (See Tr. at 313:14-315:19 (ordering

“an update from the developer or owner of the land regarding the status of the request for service”); *id.* at 333:15-18 (ordering “an update . . . regarding the status of the request for service”).)

With no question as to the authenticity of the letters, the City moves for their admission. The City notes that this motion addresses solely the admissibility of the letters and takes no position as to the legal relevance or effect of the letters on the application which initiated this proceeding. The legal relevance and effect of the letter on the application is addressed in the City's Response to Staff's Request to Suspend Briefing Schedule and Reopen Hearing, which will be filed contemporaneously with this Motion, and in the post-hearing briefs.

Dated this 24th day of July, 2006.

OSBORN MALEDON, P.A.

By 

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Original and thirteen (13) copies of
the foregoing were filed this 24th day of
July, 2006, with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

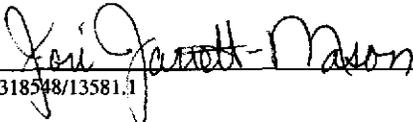
Copies of the foregoing e-mailed
and mailed this 24th day of July, 2006, to:

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