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**ARIZONA CORPORATION COMMISSION**

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AZ CORP COMMISSION  
DOCUMENT CONTROL

July 31, 2006

Arizona Corporation Commission  
**DOCKETED**

**JUL 31 2006**

DOCKETED BY  
NR

Kimberly A. Grouse  
Snell & Wilmer, LLP  
One Arizona Center  
400 East Van Buren Street  
Phoenix, Arizona 85004

RE: THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY DBA  
AUBREY WATER COMPANY – APPLICATION FOR A RATE INCREASE,  
DOCKET NO. W-03476A-06-0425

LETTER OF DEFICIENCY

Dear Ms. Grouse:

In reference to your rate application received on June 30, 2006, this letter is to inform you that your application has not met the sufficiency requirements as outlined in Arizona Administrative Code R14-2-103.

Staff has found some deficiencies with your application, which are listed on a separate attachment. The 30-day sufficiency determination period will begin anew when the company corrects the deficiencies and Docket Control receives an original and sixteen copies of the corrected pages.

You have 15 calendar days, or until August 14, 2006, to correct the deficiencies or make other arrangements with Staff to remedy your rate application. If the corrections or other arrangements are not made by the above date, Staff will request your docket number be administratively closed. Docket Control will retain one copy of the original application for Commission records. You may file an original and sixteen copies of an updated application at a later date.

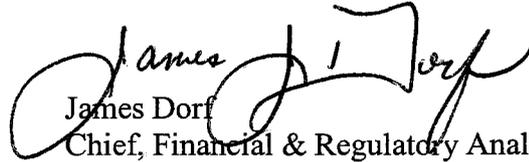
The Burlington Northern and Santa Fe Railway Company dba Aubrey Water Company

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The Staff person assigned to your application is Michael Bailey. He can be reached at (602) 542-0821, or toll free at (800) 222-7000, if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "James Dorf". The signature is stylized with a large initial "J" and a long, sweeping underline.

James Dorf  
Chief, Financial & Regulatory Analysis Section  
Utilities Division

CC: Docket Control Center (sixteen copies)  
Lyn Farmer, Hearing Division  
Delbert Smith, Engineering  
Consumer Services  
Legal Division

**Aubrey Water Company  
C/O Williamson Engineers and Contractors, Inc.  
Docket No. W-03476A-06-0425**

**Staff's List of Deficiencies**

- 1.) Staff requires the Applicant to please provide current and completed copies of the appropriate ADEQ compliance status reports for Aubrey's water system as explained in the Water Rate Application Checklist.
- 2.) Staff requires the Applicant to please provide a current and completed ADOR compliance status report for Aubrey's water system as explained in the Water Rate Application Checklist.
- 3.) The submitted Water use Data indicates that the water pumped is 43%-56% greater than the water sold. Please provide explanation for a non-account water.
- 4.) The submitted Annual Report indicates that the arsenic concentration of 0.03 & 0.04 mg/l in wells exceeds the new arsenic level of 0.01 mg/l.
- 5.) Please provide a detailed Water Quality Monitoring Costs for the test year.
- 6.) Staff requires that the Company has an approved curtailment and backflow/cross-connection tariff on file. Both tariffs are attached of the back of the application but had not been submitted for approval prior to filing the rate application.
- 7.) Instructions state that page 32 is the customer notification. The Company has not attached a notarized statement, stating mailing of customer notification.
- 8.) Staff requests information on the form of notice.

Thank you.

Michael Bailey (602) 542-0821