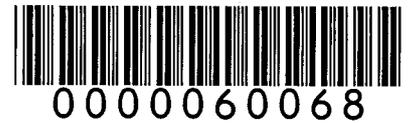


ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporat: 19E
DOCK

COMMISSIONERS
JEFF HATCH-MILLER - CHAIRMAN
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

2006 SEP 29 P 3:48

SEP 29 2006

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY *[Signature]*

IN THE MATTER OF THE APPLICATION OF
CAVE CREEK WATER COMPANY FOR
APPROVAL OF AN EXTENSION OF THEIR
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO INCLUDE PARCEL NO. 216-29-
002A.

DOCKET NO. W-01452A-05-0082

IN THE MATTER OF THE APPLICATION OF
CAVE CREEK WATER COMPANY FOR
APPROVAL OF AN EXTENSION OF THEIR
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO INCLUDE PARCEL NO. 211-99-
006.

DOCKET NO. W-01452A-04-0810

**MOTION FOR
EXTENSION OF TIME**

In Decision No. 68190 (September 30, 2005), the Commission extended the Certificate of Convenience and Necessity ("CC&N") of Cave Creek Water Company ("Company") to include two small parcels, known as (1) "Parcel 211" or the "Ulmer parcel" and (2) "Parcel 216" or the "Carefree Views" parcel. The CC&N extension was conditioned on the filing by September 30, 2006 of main extension agreements with the developers of each parcel. The main extension agreements must comply with A.A.C. R14-2-406. Decision No. 68190 at 6. That rule, in turn, requires that a Certificate of Approval to Construct ("ATC") be issued before the main extension agreements are submitted to Staff for review. A.A.C. R14-2-406(M). Company requests brief extensions of these two deadlines, because the developers have been delayed in completing the main extension agreements. In support of this motion, Company states:

I. Ulmer Parcel.

The owner of the Ulmer parcel has obtained the ATC. The property owner is reviewing a draft of the main extension agreement with their attorney. The property owner indicates that the

ROSHKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 main extension agreement should be finalized within 30 days. Accordingly, Company requests a
2 30 day extension to submit the main extension agreement for the Ulmer Parcel.

3 **II. Carefree Views.**

4 The Carefree Views development will require a slightly longer extension. The developer's
5 engineer (Pinnacle Engineering) is still modifying the plans for the facilities, based on comments
6 from the Company. Once the plans are finalized, they must be submitted as part of the ATC
7 application. The developer will request expedited review of the ATC application, which should
8 take approximately 4 weeks from the submittal of the application. Once the ATC is received, the
9 main extension agreement will then have to be finalized. In light of these remaining steps,
10 Company requests a 90 day extension to submit the main extension agreement for Carefree Views.

11 **III. Conclusion.**

12 Company requests that the deadline to file a main extension agreement be extended by (1)
13 30 days for the Ulmer parcel; and (2) 90 days for Carefree Views.

14 RESPECTFULLY SUBMITTED this 29th day of September 2005.

15 ROSHKA DEWULF & PATTEN PLC

16
17
18 By Timothy J. Sabo

19 Michael W. Patten
20 Timothy J. Sabo
21 One Arizona Center
22 400 East Van Buren Street, Suite 800
23 Phoenix, Arizona 85004
24 Attorneys for Cave Creek Water Company

25 Original and 15 copies of the foregoing
26 filed this 29th day of September 2006 with:

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

ROSHKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Copy of the foregoing hand-delivered/mailed
this 29th day of September 2005 to:

2 Kristin Magin, Esq.
3 Salmon, Lewis & Weldon, P.L.C.
2850 East Camelback Road, Suite 200
4 Phoenix, Arizona 85016

5 Marvin S. Cohen, Esq.
6 Stephen J. Anthony, Esq.
Sacks Tierney, P.A.
7 4250 North Drinkwater Boulevard, 4th Floor
Scottsdale, Arizona 85251

8 Marc Stern, Esq.
9 Administrative Law Judge
10 Hearing Division
Arizona Corporation Commission
11 1200 West Washington Street
Phoenix, Arizona 85007

12 Christopher C. Kempley, Esq.
13 Legal Division
Arizona Corporation Commission
14 1200 West Washington Street
Phoenix, Arizona 85007

15 Ernest G. Johnson
16 Director, Utilities Division
Arizona Corporation Commission
17 1200 West Washington Street
18 Phoenix, Arizona 85007

19 Brian Bozzo
20 Utilities Division
Arizona Corporation Commission
21 1200 West Washington Street
22 Phoenix, Arizona 85007

23
24 By 
25
26
27