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BEFORE THE ARIZONA CORPORATION COMMISSION

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JEFF HATCH-MILLER
Chairman
WILLIAM A. MUNDELL
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner
BARRY WONG
Commissioner

2006 SEP -7 P 3: 55

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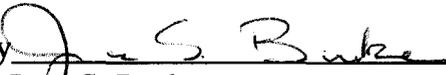
IN THE MATTER OF THE APPLICATION) DOCKET NO. W-01157A-05-0706
OF WEST END WATER COMPANY FOR)
EXTENSION OF EXISTING CERTIFICATE) **NOTICE OF FILING OF**
OF CONVENIENCE AND NECESSITY) **LETTER FROM**
) **WITTMAN 510, LLC**
)

Pursuant to the Administrative Law Judge's direction given at the close of the evidentiary hearing in this matter, the City of Surprise ("Surprise" or "the City") hereby submits this Notice of Filing of Letter from Wittman 510, LLC. See May 22, 2006 Hearing Transcript at 313:14-315:19 (ordering "an update from the developer or owner of the land regarding the status of the request for service"); May 24, 2006 Hearing Transcript at 333:15-18 (ordering "an update . . . regarding the status of the request for service"). Attached is a letter dated August 30, 2006, sent to Mr. Marvin Collins of West End Water Company by Mr. Gary Jones of Wittman 510, LLC. The letter clarifies the status of the property ownership and withdraws the March 3, 2005, letter sent to West End Water Company by Mr. Gary Jones. The City of Surprise was not the recipient or the sender of this letter, but obtained the letter from the law firm of Earl Curley &

Lagarde PC, counsel for Woodside Homes. Both Commission Staff and counsel for West End Water Company have received copies of this letter.

Respectfully, submitted this 7th day of September , 2006.

OSBORN MALEDON, P.A.

By 
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Attorneys for the City of Surprise

Original and thirteen (13) copies of the foregoing were filed this 7th day of September, 2006, with:

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

Copy of the foregoing e-mailed and mailed to:

J. Scott Rhodes, Esq.
Jennings, Strouss & Salmon, PLC
201 East Washington Street, 11th Floor
Phoenix, Arizona 85004-2385
srhodes@jsslaw.com

Copies of the foregoing hand-delivered this 7th day of September, 2006, to:

Amy Bell Bjelland
Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

David Ronald, Staff Counsel
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Blessing Chukwu
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Brenda J. Wendt

WITTMAN 510, LLC
8501 N. Scottsdale Road, Suite 165
Scottsdale, Arizona 85253
(480) 947-5900 Phone (480) 947-5900 Fax

August 30, 2006

Marvin E. Collins
West End Water Co.
9098 W. Pinnacle Peak Rd.
Peoria, AZ 85383

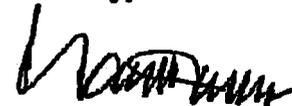
RE: Water Service

Dear Marvin,

I am the owner's representative for Wittman 510 LLC, which previously had controlling interest of the 520 acre parcel known at Walden Ranch, roughly bounded by Lone Mountain Road, 211th Avenue, Peak View Road, and 219th Avenue, south of the Town of Wittman.

I previously authored a letter to the West End Water Company, dated March 03, 2005, asking them to extend their water service franchise to serve our project. Since that letter, the LLC has sold two-thirds of the 520-acre site to Woodside Homes. Woodside Homes will close on the remaining one-third by November of this year. Woodside Homes has entered into an Agreement with the City of Surprise, whereby the City of Surprise has agreed to provide water for the southern one-third of Walden Ranch. Therefore, on behalf of the LLC, we would withdraw our request to West End to provide water for this property.

Sincerely,



Gary K. Jones
602-625-9052

Cc: Gene Morrison
Michael J. Curley