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2006 SEP 27 A 9:17

AZ CORP COMMISSION
DOCUMENT CONTROL

Mark A. Tucker
Arizona Bar No. 015338
Attorney Cal-Am Properties, Inc.

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION
OF GOLD CANYON SEWER COMPANY,
AN ARIZONA CORPORATION, FOR A
DETERMINATION OF THE FAIR VALUE
OF ITS UTILITY PLANT AND PROPERTY
AND FOR INCREASES IN ITS RATES AND
CHARGES FOR UTILITY SERVICE BASED
THEREON

DOCKET NO: SW-02519A-06-0015

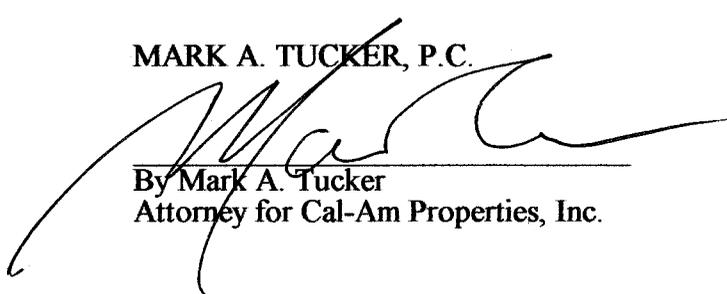
NOTICE OF MISHAP AND MOTION
TO PARTICIPATE WITHOUT
PENALTY

Cal-Am Properties, by and through counsel give notice that counsel's vehicle had a flat tire on his way to the pre-hearing conference scheduled for September 25, 2006 at 10:00 a.m. at the Commission's offices, 1200 W. Washington St., Phoenix, AZ Defendants.

This unforeseen mishap prevented counsel for Cal-Am to appear at the pre-hearing conference. Cal-Am requests leave to continue to appear and participate in these proceedings without penalty. This motion is supported by the following affidavit of Mark A. Tucker, counsel for Cal-Am Properties, Inc.

Respectfully submitted this 26 day of September 2006.

MARK A. TUCKER, P.C.


By Mark A. Tucker
Attorney for Cal-Am Properties, Inc.

Arizona Corporation Commission
DOCKETED

SEP 27 2006

DOCKETED BY NR

57

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1 Original and thirteen (13) copies
2 of the forgoing were delivered this
3 25th day of September 2006 to:

4 Docket Control
5 Arizona Corporation Commission
6 1200 W. Washington St.
7 Phoenix, AZ 85007

8 A copy of the forgoing was hand-delivered
9 This 25th day of September 2006 t:

10 Dwight D. Nodes
11 Assistant Chief Administrative Law Judge
12 Arizona Corporation Commission
13 1200 W. Washington St.
14 Phoenix, AZ 85007

15 David Ronald
16 Legal Division
17 Arizona Corporation Commission
18 1200 W. Washington St.
19 Phoenix, AZ 85007

20 A copy of the forgoing was mailed
21 This 25th day of September 2006, to:

22 Jay Shapiro
23 Fennemore Craig, P.C.
24 3003 N. Central Ave.
25 Suite 2600
26 Phoenix, AZ 85012

27 Dan Pozoefsky
28 Residential Utility Consumer Office
29 1110 W. Washington Street, Ste. 200
Phoenix, AZ 85007

Andy Kurtz
MountainBrook Village at Gold Canyon Ranch Assoc.
5674 S. Marble Dr.
Gold Canyon, AZ 85218

By: 

Law Office of Mark A. Tucker P.C.
2650 E. Southern Avenue
Mesa, Arizona 85204
(480) 633-9466

Affidavit of Mark A. Tucker

1 State of Arizona)
2)
3 Maricopa County)

4 I, Mark A. Tucker, am over eighteen years of age and under penalty of perjury state as
5 follows:

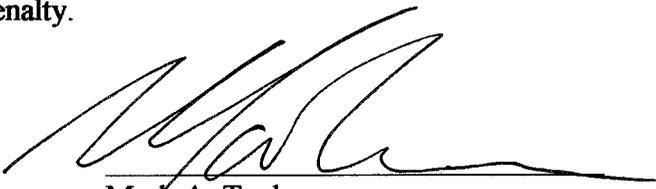
6 I am the attorney of record for Cal-Am Properties, Inc., an interested party in Docket No:
7 SW-02519A-06-0015. On the morning of September 25, 2006 I left my office to attend the pre-
8 hearing conference scheduled in this matter at 10:00 a.m. at the offices of the Arizona Corporation
9 Commission. As I was approaching the entrance of the U.S. 60 highway, my vehicle began to
10 handle rough and I noticed a loud noise coming from the rear of my vehicle. I pulled over and
11 discovered I had a flat tire. I limped into a Big-O tire dealership nearby and had my left rear tire
12 fixed. I was informed that my flat tire was caused by a nail which I must have picked up while
13 driving that morning.
14
15

16 The dealership was very busy when I pulled in, and my car was not fixed and ready to drive
17 until it was too late to make it to the pre-hearing meeting on time. Attached As Exhibit "A" hereto
18 is my receipt from Big-O Tires for the flat tire that was repaired this morning.
19

20 This flat tire was unforeseen and could not have been prevented.

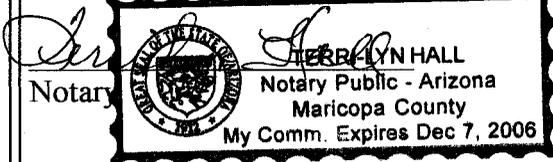
21 I request that the Corporation Commission permit Cal-Am Properties, Inc. to participate at
22 the upcoming rate hearing without penalty.
23

24 Dated: September 25, 2006



Mark A. Tucker

25
26
27 Subscribed and sworn before me this 25th day of September 2006.



28
29 Notary
My Commission Expires:

09/25/2006 Receipt for Tire Repair

EXHIBIT A

BUDGET TIRES & SERVICE, INC.
 DBA: BIG O TIRES CAR WASH
 1530 S GILBERT RD STE 1
 MESA, AZ 85204
 Phone: 480-545-5369

Customer: TUCKER, MARK
 2650 E SOUTHERN
 MESA, AZ 85204

Invoice: 504525
 Page 1
 Date: 09/25/06

Phone: Bus. 480-633-9466

 Slsman Type of Sale Mileage Lic. # Vehicle Description
 EG MASTER CARD 110404 104TWF 99 NISSAN MAXIMA

 Qty Stock # Description Labor FET Price Ext.

 1 FR FLAT REPAIR 12.50 12.50
 LEFT REAR
 IF WE DID A GOOD JOB PLEASE
 REFER A FRIEND, IF WE DIDN'T,
 PLEASE LET OUR MANAGER KNOW.
 "THANK YOU FOR CHOOSING
 BIG O TIRES AND SERVICE
 PLEASE COME AGAIN"

 Total: 0.00
 8.05% Sales Tax: 0.00
 Total Labor: 12.50
 Envirn. Tax: 0.00
 =====
 PAY THIS AMOUNT: 12.50

I acknowledge notice and oral
 approval of any increase in
 the original estimated price.

X _____



WORK ORDER

Date _____ Time In _____ Time Out _____

Name Tucker, Mark

Address 2650 E. Southwind

City Mesa 85204

Phone 480-633-9466

Salesperson _____

Car Year 97

Make Nissan Maxima

Color Blue

License # 10476F

Mileage 110404

LF

RF

LR

RR

TIRES

Make _____

Size _____

Black _____

White _____

QUICK CHECK

Tires: RF _____ LF _____

Tread Depth RR _____ LR _____

Air Pressure Frt _____ Rear _____

Shocks/Struts Frt _____ Rear _____

Brakes Frt _____ Rear _____

Windshield cracked
Yes _____ No _____

SPARE

ALIGNMENT

Comments: Flt Repair
