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1 FENNEMORE CRAIG, P.C. 2007 JAN 22 P 4: 33
 2 Jay L. Shapiro (No. 014650)
 3 Patrick J. Black (No. 017141) AZ CORP COMMISSION
 3003 N. Central Ave., Suite 2600 DOCUMENT CONTROL
 4 Phoenix, Arizona 85012
 Attorneys for Desert Hills Water Company

BEFORE THE ARIZONA CORPORATION COMMISSION

7
 8 IN THE MATTER OF DESERT HILLS
 9 WATER COMPANY'S APPLICATION
 10 FOR APPROVAL OF TRANSFER OF
 11 ASSETS TO THE TOWN OF CAVE
 CREEK, PURSUANT TO ARIZONA
 REVISED STATUTES 40-285

DOCKET NO: W-02124A-06-0717

**NOTICE OF FILING
CERTIFICATION OF PUBLICATION
AND PROOF OF MAILING**

12 Pursuant to the Procedural Order dated December 27, 2006, Desert Hills Water
 13 Co., Inc. hereby submits this Notice of Filing Certification of Publication and Proof of
 14 Mailing in the above-captioned matter.

15 On January 11, 2007 legal public notice was published in *The Gila Bend Sun*. The
 16 affidavit of Glen Birchfield, editor and publisher of *The Gila Bend Sun*, is attached hereto
 17 as Exhibit 1.

18 On January 12, 2007 and January 16, 2007 Desert Hills mailed notification to
 19 property owners. The affidavit of Whitney A. Birk is attached hereto as Exhibit 2.

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Arizona Corporation Commission
DOCKETED
 JAN 22 2007

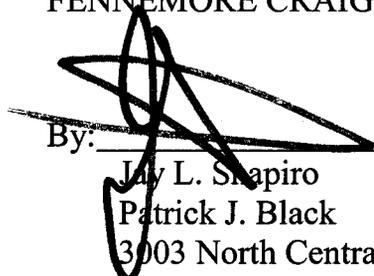
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DATED this 22nd day of January, 2007.

FENNEMORE CRAIG, P.C.

By: _____


Patrick J. Black

3003 North Central Avenue, Suite 2600

Phoenix, Arizona 85012

Attorneys for Desert Hills Water Company, Inc.

ORIGINAL and thirteen (13) copies of the foregoing were delivered this 22nd day of January, 2007 to:

Docket Control
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Copy of the foregoing was **hand delivered** this 22nd day of January, 2007 to:

Lyn Farmer
Chief Administrative Law Judge
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

Linda Jaress
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

1 Maureen Scott
2 Legal Division
3 Arizona Corporation Commission
4 1200 W. Washington Street
5 Phoenix, AZ 85007

6 Robin Mitchell
7 Legal Division
8 Arizona Corporation Commission
9 1200 W. Washington Street
10 Phoenix, AZ 85007

11 Copy of the foregoing was **mailed**
12 this 22nd day of January, 2007 to:

13 Court Rich Esq.
14 The Rose Law Group
15 6613 N. Scottsdale Road, Suite 200
16 Scottsdale, AZ 85250

17 By: Sandra Baker

18 1876630.1/18332.007

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EXHIBIT

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PUBLIC NOTICE

PUBLIC NOTICE OF THE HEARING ON THE APPLICATION OF DESERT HILLS WATER COMPANY FOR APPROVAL OF TRANSFER OF ITS UTILITY ASSETS TO THE TOWN OF CAVE CREEK PURSUANT TO A.R.S. § 40-285 AND FOR CANCELLATION OF ITS CC&N, Docket No. W-02124A-06-0717

On November 8, 2006, Desert Hills Water company ("DHWC" or "Company") filed with the Arizona Corporation Commission (Commission) an application to transfer its utility assets to the Town of Cave Creek, Arizona ("Town"), pursuant to A.R.S. § 40-285. The Commission will determine the appropriate relief to be granted based on the evidence of record in this proceeding. The Commission is not bound by the proposals made by the Company, the Commission's Staff, or any intervenors, and therefore the relief granted in this proceeding may differ from that requested by the Company. The application, report of the Commission's Utilities Division Staff, and any written comments to the staff report will be available for inspection during regular business hours at the offices of the Commission located at 1200 West Washington Street, Phoenix, Arizona, 85007; and at the offices of the Company, 34647 N. 10th Street, Phoenix, Arizona, 85027, and on the internet via the Commission website (www.azcc.gov) using the e-docket function.

The Commission will hold a public hearing on this matter on February 27, 2007 at 10:00 a.m. at the Commission's offices, at 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene in the proceedings and participate as a party. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission and send such motion to the Company or its counsel and to all parties of record, and which at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g. a customer of the Company, a shareholder of the Company, a competitor, etc.)
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

The granting of motions to intervene must be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before February 9, 2007. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. Failure to intervene will not preclude any interested person or entity from appearing at the hearing and making a statement on their own behalf. You will not, however, receive any further notice of the proceeding unless requested by you. Please check with the Commission for any changes to the scheduled hearing date.

If you have any comments, mail them to:
The Arizona Corporation Commission, Attention Docket Control
Re: Desert Hills Water Company, W-02124A-06-0717
1200 West Washington Street
Phoenix, Arizona 85007

If you have any questions about this application, you may contact the Company at 623-582-0219. If you wish to file written comments on the application or want further information on intervention you may contact the Consumer Services Section of the Commission at 1200 West Washington Street Phoenix Arizona, 85007, or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter as well as request this document in an alternative format, by contacting the ADA Coordinator, Linda Hogan at LHogan@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

Number of publications: 1. Dates of publication: Jan. 11, 2007.

AFFIDAVIT OF PUBLICATION

State of Arizona

ss

County of Maricopa

I, Glen Birchfield, editor and publisher of

The Gila Bend Sun,

a newspaper in general circulation, printed and published in the Town of Gila Bend, County of Maricopa, State of Arizona, do solemnly swear that a copy of the above notice is the matter of

Public Notice
for

Desert Hills Water Company

as per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement hereof, for a period of one consecutive week(s) as follows, to-wit

January 11, 2007

Glen Birchfield

Glen Birchfield

Subscribed and sworn to before me,

this.....11.....day of.....January.....2007

Darah B Mann

Notary Public

My Commission expires:
May 29, 2009



DARAH B. MANN
NOTARY PUBLIC- ARIZONA
MARICOPA COUNTY
My Comm. Exp.: May 29, 2009

cc: Whitney Birk

EXHIBIT

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AFFIDAVIT OF WHITNEY A. BIRK

Whitney A. Birk, being duly sworn, deposes and says:

1. I am a resident of Maricopa County, over 18 years of age, and make this affidavit based on my own personal knowledge.

2. I am a paralegal at Fennemore Craig, P.C.

3. Pursuant to the December 27, 2006 Procedural Order issued by the Arizona Corporation Commission, on January 12, 2007 Desert Hills Water Co., Inc. ("Desert Hills") mailed to 1,762 property owners a copy of the public notice regarding the hearing set for February 27, 2007.

4. A telephonic procedural conference was held on January 12, 2007, during which Administrative Law Judge Farmer granted Desert Hills' request for an extension to mail any remaining notices. Therefore, on January 16, 2007 Desert Hills mailed the remaining 1,154 notices.

5. In further accordance with the Procedural Order, Desert Hills files this certification of mailing.

Whitney A Birk
Whitney A. Birk

SUBSCRIBED and sworn to before me this 22nd day of January, 2007.

Barbara Marinoff
Notary Public

My Commission Expires:
August 13, 2010

1876635.1/18332.007

