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1 FENNEMORE CRAIG, P.C.
 2 Jay L. Shapiro (No. 014650)
 3 Patrick J. Black (No. 017141)
 4 3003 N. Central Ave., Suite 2600
 5 Phoenix, Arizona 85012
 6 Attorneys for Desert Hills Water Company

2007 FEB -9 P 4: 43

AZ CORP COMMISSION
DOCUMENT CONTROL

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
 12 CREEK, PURSUANT TO ARIZONA
 13 REVISED STATUTES 40-285

DOCKET NO: W-02124A-06-0717

NOTICE OF ERRATA
CERTIFICATION OF PUBLICATION

14 On January 22, 2007, Desert Hills Water Co., Inc. ("Desert Hills") filed a Notice of
 15 Filing Certification of Publication and Proof of Mailing as required by Procedural Order
 16 dated December 27, 2006. The notice provided that the hearing in this matter is set for
 17 February 27, 2007, and that the deadline to intervene was February 9, 2007. The filing
 18 verified that on January 11, 2007, legal public notice was published in *The Gila Bend Sun*.
 19 On February 1, 2007, it was discovered that the newspaper in which the public notice was
 20 published is not a newspaper of general circulation in Desert Hills' service area. Desert
 21 Hills and Staff concluded that Desert Hills should have the notice republished as soon as
 22 possible in a newspaper of general circulation. Desert Hills has already mailed a copy of
 23 the original notice to approximately 4,000 property owners within Desert Hills' service
 24 area on January 12th and 16th, 2007.

25 On February 5, 2007 the Amended Notice was published in *The Arizona Republic*.
 26 The affidavit of Karen Way, legal advertising representative of the *Arizona Business
 Gazette*, is attached hereto as Exhibit 1.

Arizona Corporation Commission

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FEB 12 2007

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DATED this 9th day of February, 2007.

FENNEMORE CRAIG, P.C.

By: 

Jay L. Shapiro
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 9th day of February, 2007 to:

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

Copy of the foregoing was **hand delivered** this 9th day of February, 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

Maureen Scott
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

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

6 Copy of the foregoing was **mailed**
7 this 9th day of February, 2007 to:

8 Court Rich Esq.
9 The Rose Law Group
10 6613 N. Scottsdale Road, Suite 200
11 Scottsdale, AZ 85250

12 By: *Maria San Jose*

13 1882662.1/18332.007

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Exhibit 1

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&M. Docket No. W-02124A-06-0717

On November 8, 2006, Desert Hills Water Company ("DHW" 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, 3464 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 27, 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, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.
Published: February 5, 2007

THE ARIZONA REPUBLIC

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS.

Karen Way, being first duly sworn, upon oath deposes and says: That she is a legal advertising representative of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Republic, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

The Arizona Republic

February 5, 2007

Sworn to before me this
5TH day of
February A.D. 2007



Notary Public