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THIS AMENDMENT:
 _____ Passed _____ Passed as amended by _____
 _____ Failed _____ Not Offered _____ Withdrawn

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Arizona Corporation Commission
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DEC 15 2003

MUNDELL PROPOSED AMENDMENT 1

AZ CORP COMMISSION
DOCUMENT CONTROL

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TIME/DATE PREPARED: December 15, 2003

COMPANY: Bensch Ranch Utilities, LLC

AGENDA ITEM NO. 6

DOCKET NO. SW-04026A-01-0499

OPEN MEETING DATE: 12/16/03

Page 7, Line 24 INSERT NEW FINDING OF FACT

- 33. As a condition to granting a CC&N to Bensch Ranch, we will require Bensch Ranch to file with the Commission, within 90 days of the effective date of this Decision, verification that the owners of Bensch Ranch have adopted a binding resolution which will prevent BR Estates' member Lester Smith from holding any management position, sitting on the board of directors, or occupying any position that would allow him to be involved in the decision making process or operation of Bensch Ranch Utilities, LLC for not less than 10 years.

RENUMBER accordingly

Page 8, Line 27 INSERT NEW CONCLUSION OF LAW

- 11. It is reasonable and in the public interest to require, as a condition to granting a Certificate to Bensch Ranch, that Bensch Ranch file with the Commission, within 90 days of the effective date of this Decision, verification that Bensch Ranch has adopted a binding resolution which will prevent BR Estates' member Lester Smith from holding any management position, sitting on the board of directors, or occupying any position that would allow him to be involved in the decision making process or operation of Bensch Ranch Utilities, LLC for not less than 10 years.

Arizona Corporation Commission
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RENUMBER accordingly.

DEC 15 2003

Page 9, Line 13 INSERT after paid

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; and subject to the condition that it file with the Commission, within 90 days, verification that Bensch Ranch has adopted a binding resolution which will prevent BR Estates' member Lester Smith from holding any management position, sitting on the board of directors, or occupying any position which would allow him to be involved in the decision making process or operation of Bensch Ranch Utilities, LLC for not less than 10 years.