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1 FENNEMORE CRAIG, P.C. 2007 MAR -5 P 4: 38  
 2 Jay L. Shapiro (#14650)  
 3 Patrick J. Black (#17141)  
 3003 N. Central Ave., Suite 2600  
 Phoenix, Arizona 85012  
 Attorneys for Black Mountain Sewer Corporation

AZ CORP COMMISSION  
DOCUMENT CONTROL

**BEFORE THE ARIZONA CORPORATION COMMISSION**

7 IN THE MATTER OF THE  
 8 APPLICATION OF BLACK  
 9 MOUNTAIN SEWER CORPORATION,  
 10 AN ARIZONA CORPORATION, FOR  
 11 A DETERMINATION OF THE FAIR  
 12 VALUE OF ITS UTILITY PLANT AND  
 PROPERTY AND FOR INCREASES IN  
 ITS RATES AND CHARGES FOR  
 UTILITY SERVICE BASED  
 THEREON.

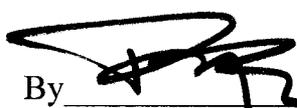
DOCKET NO: SW-02361A-05-0657

**NOTICE OF COMPLIANCE  
PURSUANT TO DECISION NO. 69164**

13 In Decision No. 69164, dated December 5, 2006, the Arizona Corporation  
 14 Commission directed Black Mountain Sewer Corporation ("BMSC") to remedy odor  
 15 problems in the Boulders subdivision. Pursuant to the Order, BMSC was to notify all  
 16 parties regarding its chosen method for accomplishing the required odor remediation.  
 17 BMSC has done so, as explained in the affidavit of Gregory S. Sorensen, attached hereto  
 18 as Exhibit 1.

DATED this 5th day of March, 2007.

FENNEMORE CRAIG, P.C.

By   
 \_\_\_\_\_

Arizona Corporation Commission  
**DOCKETED**  
 MAR 05 2007

Jay L. Shapiro  
 Patrick J. Black  
 3003 North Central Avenue, Suite 2600  
 Phoenix, Arizona 85012  
 Attorneys for Black Mountain Sewer  
 Corporation

DOCKETED BY	
	

1 ORIGINAL and thirteen (13) copies of the  
2 foregoing were delivered  
3 this 5th day of March, 2007 to:

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

8 COPIES hand delivered  
9 this 5th day of March, 2007 to:

10 Keith Layton  
11 Staff Counsel  
12 Legal Division  
13 Arizona Corporation Commission  
14 1200 W. Washington St.  
15 Phoenix, AZ 85007

16 Daniel Pozefsky, Esq.  
17 Residential Utility Consumer Office  
18 1110 W. Washington, Suite 220  
19 Phoenix, AZ 85007

20 Brian Bozzo  
21 Utilities Division  
22 Arizona Corporation Commission  
23 1200 W. Washington St.  
24 Phoenix, AZ 85007

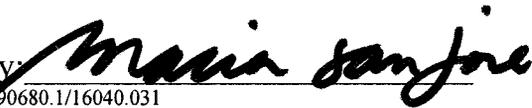
25 And COPIES mailed  
26 this 5th day of March, 2007 to:

Boulders Homeowners Association  
Mr. Robert E. Williams  
P. O. Box 1170  
Carefree, AZ 85377

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M. M. Shirtzinger  
34773 N. Indian Camp Trail  
Scottsdale, AZ 85262

Thomas K. Chenal, Esq.  
David Garbarino, Esq.  
Mohr, Hackett, Pederson, Blakley & Randolph  
7047 E. Greenway Parkway, Suite 155  
Scottsdale, AZ 85254

By:   
#90680.1/16040.031

# **EXHIBIT**

**1**

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**AFFIDAVIT OF GREGORY S. SORENSEN**

Gregory S. Sorensen, being duly sworn, deposes and says:

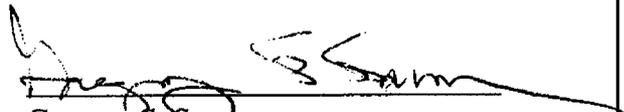
1. I am a resident of Maricopa County, over 18 years of age, and make this affidavit based on my own personal knowledge.

2. I am Vice President of Finance for Algonquin Water Services, and the operator of Black Mountain Sewer Corporation ("BMSC").

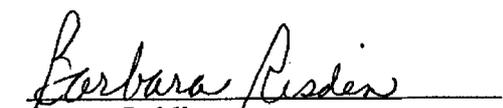
3. Pursuant to Decision No. 69164 dated December 5, 2006 ("Order"), BMSC has chosen a remedy to accomplish the Boulders Drive odor remediation.

4. BMSC retained McBride Engineering Solutions, Inc. ("MES") to conduct a hydraulic evaluation of the Boulder Drive sewer system. Based on its evaluation, MES recommends that BMSC install air jumper pipelines along portions of the sewer system. MES also recommends that BMSC continue testing odor control additives.

5. On February 28, 2007 BMSC notified all parties of its intent to implement MES' proposed remedies in lieu of choosing one of the remedies set forth in the Order. BMSC is awaiting word on whether the other parties will consent to the selected remedy.

  
Gregory S. Sorensen

SUBSCRIBED and sworn to before me this 5 day of March, 2007.

  
Notary Public

My Commission Expires:  
Feb. 3, 2011

