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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY *nr*

IN THE MATTER OF THE APPLICATION OF
BLACK MOUNTAIN GAS COMPANY AND
SEMSTREAM ARIZONA PROPANE, L.L.C.
FOR APPROVAL OF THE TRANSFER OF
THE BLACK MOUNTAIN PAGE DIVISION
AND RELATED ASSETS TO SEMSTREAM
ARIZONA PROPANE L.L.C.

DOCKET NO. G-03703A-06-0694
G-20471A-06-0694

**NOTICE OF FILING STAFF'S
CLARIFYING EXCEPTIONS TO THE
RECOMMENDED ORDER AND OPINION**

On March 26, 2007, a formal hearing was concluded in the above captioned application. On April 18, 2007, Administrative Law Judge Teena Wolfe issued a recommended opinion and order ("ROO"). Pursuant to Arizona Administrative Code § R14-3-110(B), exceptions to the ROO are due on April 27, 2007. The Staff of the Utilities Division of the Arizona Corporation Commission ("Staff") hereby respectfully submits the following clarifying exceptions.

As Staff indicated and the ROO reflects, SemStream Arizona Propane, L.L.C. ("SemStream") agreed to continue charging the same rates within the acquired territory as authorized by Decision No. 66101 until a new rate is approved in a future rate case. Staff believes it would be appropriate for SemStream to provide notice of this condition to the customers of the Black Mountain Gas Company's ("BMGC") Page Division that SemStream will be acquiring through the grant of this application. Therefore Staff recommends that the Commission adopt the following changes:

INSERT at Page 9, Line 22:

IT IS FURTHER ORDERED that SemStream Arizona Propane, L.L.C. ("SemStream") shall provide notice to all customers of the Black Mountain Gas Company's ("BMGC") Page Division, in a format approved by Staff, that the Commission has approved the transfer and sale of BMGC's Page Division to SemStream, and that SemStream will charge the same rates and charges that are currently

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1 in effect for BMGC's Page Division customers. The notice shall also provide SemStream's customer
2 contact information.

3 RESPECTFULLY SUBMITTED this 24th day of April, 2007.

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7 Charles H. Hains
8 Attorney, Legal Division
9 Arizona Corporation Commission
10 1200 West Washington Street
11 Phoenix, Arizona 85007
12 (602) 542-3402

10 Original and thirteen (13) copies
11 of the foregoing were filed this
12 24th day of April, 2007 with:

13 Docket Control
14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, Arizona 85007

15 Copy of the foregoing mailed this
16 25th day of April, 2007 to:

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