

**ORIGINAL OPEN MEETING AGENDA ITEM**



0000074666

**BEFORE THE ARIZONA CORPORATION C**

**COMMISSIONERS**

**RECEIVED**

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

2007 JUL 13 P 2:44

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

**DOCKETED**

JUL 13 2007

DOCKETED BY	<i>NR</i>
-------------	-----------

IN THE MATTER OF THE APPLICATION OF THE  
COMMISSION ON ITS OWN MOTION  
INVESTIGATING THE FAILURE OF CARL  
HARVEY DBA GOLDEN CORRIDOR WATER  
COMPANY, TO COMPLY WITH COMMISSION  
RULES AND REGULATIONS.

DOCKET NO. W-02497A-06-0580

**NOTICE OF FILING  
CLARIFYING COMMENTS  
TO ROO**

On July 10, 2007, Administrative Law Judge Yvette Kinsey issued a Recommended Opinion and Order ("ROO") in the above captioned Complaint and Petition for an Order to Show Cause against Carl Harvey, dba Golden Corridor Water Company ("GCWC"). At page 15 of the ROO, a finding of fact is made supporting Arizona Corporation Commission ("Commission") Utilities Division Staff's ("Staff") recommendation of a fine against GCWC. Likewise, in conclusion of law 9 on page 15 and the ordering paragraph on Page 16 at lines 8, 12, 16, and 24, with respect to the fine, the Golden Corridor Water Company is named.

Staff continues to recommend a fine in this circumstance. However, Staff would like to clarify that GCWC is a sole proprietorship owned by Mr. Carl Harvey and Mrs. Carol Harvey. In the present context where Arizona Water Company is acting as the interim operator over GCWC, ordering "Golden Corridor Water Company" to bear responsibility for the fine could create some confusion as to who is responsible for payment of the fine because of the potential that "Golden Corridor Water Company" could be mistaken to be a business entity with liabilities separate from its sole proprietors.

For that reason, Staff provides the following proposed language of an amendment for the consideration and convenience of the Hearing Division.

...

1 Conclusions of Law

2 Page 15, Line 27

3 INSERT: "Carl Harvey dba" after "Staff's recommendation that"

4 Order

5 Page 16, Line 8

6 INSERT: "Carl Harvey dba" after "IT IS FURTHER ORDERED that"

7 Page 16, Line 12

8 INSERT: "Carl Harvey dba" after "relating to"

9 Page 16, Line 16

10 INSERT: "Carl Harvey dba" after "IT IS FURTHER ORDERED that"

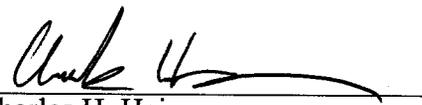
11 Page 16, Line 21

12 INSERT: "Carl Harvey dba" after "IT IS FURTHER ORDERED that"

13 RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of July, 2007.

14

15



16

Charles H. Hains  
Attorney, Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007  
(602) 542-3402

17

18

19

20 The original and thirteen (13) copies  
of the foregoing were filed this  
21 13<sup>th</sup> day of July, 2007 with:

22 Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
23 Phoenix, Arizona 85007

24 Copy of the foregoing mailed this  
25 13<sup>th</sup> day of July, 2007 to:

26 Carl Harvey  
GOLDEN CORRIDOR WATER COMPANY, INC.  
27 P.O. Box 486  
Rushville, IN 46173

28 **CERTIFIED MAIL AND U.S. MAIL**

1 Carl Harvey  
GOLDEN CORRIDOR WATER COMPANY, INC.  
2 2880 East Mopar Drive  
3 Casa Grande, Arizona 85222  
**CERTIFIED MAIL AND U.S. MAIL**

4 George Moya  
5 5249 South Roughcut Drive  
6 Casa Grande, Arizona 85222

7 Nancy Hawkins  
7471 West Jackpot Lane  
8 Casa Grande, Arizona 85222

9 Craig Sampson  
7450 West Jackpot Lane  
10 Casa Grande, Arizona 85222

11 Lewis McKenzie Larkin  
12 7380 West Cornman Road  
13 Casa Grande, Arizona 85222

14 John A. Chadwick  
16623 South 33<sup>rd</sup> Street  
15 Phoenix, Arizona 85048

16  
17   
18

19  
20  
21  
22  
23  
24  
25  
26  
27  
28