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THIS AMENDMENT: \_\_\_\_\_

Passed \_\_\_\_\_

Passed as amended by \_\_\_\_\_

Failed \_\_\_\_\_

Not Offered \_\_\_\_\_

Withdrawn \_\_\_\_\_

AZ CORP COMMISSION  
DOCKET CONTROL

**GLEASON PROPOSED AMENDMENT #3**

DATE PREPARED: July 19, 2007

Arizona Corporation Commission  
**DOCKETED**

JUL 19 2007

COMPANY: Arizona Water Company

DOCKET NOS: W-01445A-03-0559

DOCKETED BY

OPEN MEETING DATES: July 24 and 25, 2007

AGENDA ITEM: U-1

Page 3, Line 27, INSERT:

"After considering the evidence in this matter, we are concerned that there may not be a current need or necessity for water service in the portions of the extension area that are owned by Cornman. We also recognize that Cornman does not wish to have its property included in Arizona Water's CC&N at this time. We believe that these issues bear further examination and that they may have some relevance to the best interests of the area ultimately to be served.

We also recognize that the proceeding before us is limited to relatively narrow issues: whether, for purposes of compliance, Arizona Water should be granted an extension of time to fulfill the conditions of Decision No. 66893 and whether, in fact, those conditions have been fulfilled. We have concluded that these conditions have been fulfilled, and we therefore recognize that, by the terms of Decision No. 66893, Arizona Water holds a CC&N for the extension areas at issue in this proceeding.

Nonetheless, regarding the property that is owned by Cornman, we would like an opportunity to consider the overall best interests of the Cornman area and of the public. We will therefore reopen the record in this matter pursuant to A.R.S. § 40-252 and remand this case to the Hearing Division for further proceedings regarding whether Arizona Water should continue to hold a CC&N for the Cornman extension area at this time. We recognize that Arizona Water, as the CC&N holder, is entitled to appropriate notice and an opportunity to be heard. We therefore officially place Arizona Water on notice that our subsequent proceeding on remand will be for the purpose of considering whether the Cornman property should be deleted from the CC&N extension granted to Arizona Water by Decision No. 66893. The Hearing Division is directed to conduct further evidentiary proceedings in this matter, including appropriate opportunities for intervention and an appropriate opportunity for Arizona Water to present its case.

While the matter currently before us presented relatively narrow issues, we view the proceeding on remand as broad in scope so that the Commission may

develop a record to consider the overall public interest underlying service to the Cornman property that is included in the extension area granted by Decision No. 66893. By identifying these issues and requiring further proceedings, we are not prejudging this matter in any way; instead, we merely desire an opportunity to consider the broader public interests implicated herein.”

Page 17, STRIKE lines 27 and 28 (Finding of Fact No. 96)

Page 18, STRIKE line 1

Re-number Findings of Fact to conform

Page 18, between lines 16 and 17 INSERT new Findings of Fact to read:

“100. There may not be a current need or necessity for water service in the portions of the extension area that are owned by Cornman, and Cornman does not wish to have its property included in Arizona Water’s CC&N at this time. These issues bear further examination and may have some relevance to the best interests of the area ultimately to be served.

101. It is in the public interest to remand this case to the Hearing Division for further proceedings regarding whether Arizona Water should continue to hold a CC&N for the Cornman extension area at this time.

102. As the CC&N holder, Arizona Water is entitled to appropriate notice and an opportunity to be heard. Our subsequent proceeding on remand will be for the purpose of considering whether the Cornman property should be deleted from the CC&N extension granted to Arizona Water by Decision No. 66893.

103. The Hearing Division should conduct further evidentiary proceedings in this matter, including appropriate opportunities for intervention and an appropriate opportunity for Arizona Water to be heard.

104. The proceeding on remand should be broad in scope so that the Commission may develop a record to consider the overall public interest underlying service to the Cornman property that is included in the extension area granted by Decision No. 66893. By identifying these issues and requiring further proceedings, we are not prejudging this matter in any way; instead, we merely desire an opportunity to consider the broader public interests implicated herein.”

Page 18, STRIKE lines 22 and 23 (Conclusion of Law No. 3)

Re-number Conclusions of Law to conform

Page 18, between lines 25 and 26 INSERT two new Conclusions of Law to read:

“4. Reopening the record in this matter pursuant to A.R.S. § 40-252 is in the public interest.

5. This Decision serves as notice to Arizona Water Company that the Commission will reopen the record in the matter pursuant to A.R.S. § 40-252.”

Page 19, between lines 2 and 3 INSERT two new Ordering Paragraphs to read:

“IT IS FURTHER ORDERED that this case is remanded to the Hearing Division for further proceedings regarding whether Arizona Water Company should continue to hold a CC&N for the Cornman extension area at this time.

IT IS FURTHER ORDERED that Arizona Water Company is hereby on notice that the Commission’s subsequent proceeding on remand will be for the purpose of considering whether the Conman property should be deleted from the CC&N extension granted to Arizona Water Company by Decision No. 66893.”

Make all conforming changes.