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Arizona Corporation Commission

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1 FENNEMORE CRAIG, 2007 SEP -5 P 3: 31
 2 Jay L. Shapiro (#014650)
 3 Patrick J. Black (#017147) AZ CORP COMMISSION
 4 3003 N. Central Ave., Suite 2600 DOCKET CONTROL
 Phoenix, Arizona 85012
 Attorneys for Black Mountain Sewer Corporation

DOCKETED BY 

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
 UTILITY SERVICE BASED
 THEREON.

DOCKET NO: SW-02361A-05-0657

NOTICE OF COMPLIANCE
PURSUANT TO DECISION NO. 69164

13 Black Mountain Sewer Corporation ("BMSC") hereby files this Notice of
 14 Compliance with Decision No. 69164 (December 5, 2006) ("Order"). The Order directed
 15 "BMSC" to complete the Carefree Inn Estates ("CIE") Lift Station project within
 16 180 days.

17 On May 14, 2007 BMSC, Staff, the Town of Carefree, and the Boulders
 18 Homeowners Association submitted a Stipulation in which the parties¹ agreed to extend
 19 the date for completion of the project to September 1, 2007. The Procedural Order issued
 20 on June 1, 2007 granted BMSC an extension of time until September 1, 2007.

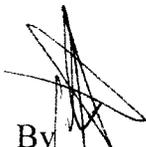
21 Attached hereto as **Exhibit A** is the Certification of Substantial Completion from
 22 McBride Engineering Solutions dated August 28, 2007. This document verifies that the
 23 CIE Lift Station has been removed. No other approval for this project is required.

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 26 ¹ Residential Utility Consumer Office did not sign the Stipulation and took no position.

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DATED this 5th day of September, 2007.

FENNEMORE CRAIG, P.C.



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

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

Docket Control
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

COPIES hand delivered
this 5th day of September, 2007 to:

Keith Layton
Staff Counsel
Legal Division
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

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

1 Brian Bozzo
2 Utilities Division
3 Arizona Corporation Commission
4 1200 W. Washington St.
5 Phoenix, AZ 85007

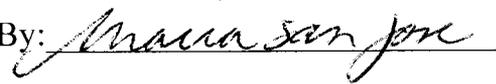
6 And COPIES mailed
7 this 5th day of September, 2007 to:

8 Robert E. Williams
9 Boulders Homeowners Association
10 P.O.Box 1170
11 Carefree, AZ 85377

12 M. M. Shirtzinger
13 34773 N. Indian Camp Trail
14 Scottsdale, AZ 85262

15 Thomas K. Chenal, Esq.
16 David Garbarino, Esq.
17 Mohr, Hackett, Pederson, Blakley & Randolph
18 7047 E. Greenway Parkway, Suite 155
19 Scottsdale, AZ 85254

20

21 By: 

22

23 1971476.1/16040.031

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Exhibit A



CERTIFICATION OF SUBSTANTIAL COMPLETION

1. PROJECT INFORMATION:

Project Name: Removal of the Carefree Inn Estates (CIE) sewage lift station

Project Description: Project removed the CIE lift station by diverting sewage from the Carefree Estates to the gravity sewer system. The force mains were re-routed in Carefree Drive so the Commercial pumps are now able to pump directly to Boulder Drive. The CIE lift station was physically removed.

Contractor: DL Norton General Contracting

Contractor's Superintendent: Dave Merrill

2. SYSTEM INFORMATION:

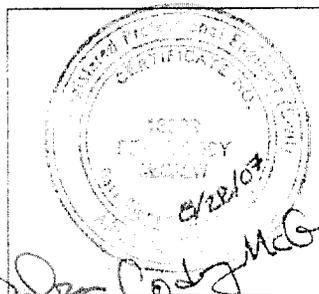
System Type: Water Wastewater Reclaimed Water

System Name: Black Mountain Sewer Company

3. CERTIFICATION INFORMATION:

This is to certify that I, Debra C. McGrew, a professional Engineer registered in the State of Arizona (Registration No. 13909) certify on the basis of an inspection on August 28, 2007 (date) that work performed on this project has been reviewed and found to be substantially complete, and that the Date of Substantial Completion of the Project, as described above, is August 28, 2007

Definition: Date of Substantial Completion of the project. is the date certified by the Engineer when construction is substantially complete in accordance with the Contract Documents such that the Owner may utilize the project for its intended use.



Signature: Debra C. McGrew

Firm: McBride Engineering Solutions

Address: 7305 W. Boston Street

Chandler, AZ 85226

Date: August 28, 2007 Phone: 480-759-9608