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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

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6 Attorneys for HP Investment
7 Corporation

BEFORE THE ARIZONA CORPORATION COMMISSION

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IN THE MATTER OF THE COMPLAINT
OF HP INVESTMENT CORPORATION
AGAINST APPALOOSA WATER
COMPANY FOR FAILURE TO
COMPLY WITH THE ARIZONA
CORPORATION COMMISSION'S
ORDERS, RULES AND REGULATIONS

DOCKET NO. W-03443A-06-0713

JOINT MOTION FOR EXTENSION
OF TIME

HP Investment Corporation ("HP Investment") and Appaloosa Water Company ("Appaloosa") (collectively, the "Parties") hereby file this Joint Motion for Extension of Time to comply with the Procedural Order issued on July 13, 2007. The Procedural Order requires the Parties to submit a fully executed water main extension agreement with Docket Control, along with a Notice of Filing that the main extension agreement has been submitted to Staff for review and approval pursuant to A.A.C. R14-2-406. For the reasons stated below, the Parties request that the deadline for filing the main extension agreement and Notice of Filing be extended for a period of not less than sixty (60) days.

In order to comply with A.A.C. R14-2-406, water utilities are required to submit a water main extension agreement along with a water use data sheet and any Approval to Construct issued for the water facilities to be constructed. HP Investment has submitted

1 an application to both the Arizona Department of Environmental Quality and Yavapai
2 County to obtain the required Approval to Construct. In order for Yavapai County to
3 process the application, it requires that Appaloosa sign a water service agreement form for
4 the applicable subdivision, Heritage Point. Appaloosa has signed the form and will be
5 submitting it to Yavapai County shortly. In addition, HP Investment's application for an
6 assured water supply is still pending before the Arizona Department of Water Resources.

7 The Parties are working to finalize the main extension agreement. Appaloosa has
8 requested that HP Investment obtain certain approvals, including an approval of the
9 engineering plans and specifications from the Town of Chino Valley, prior to entering into
10 the Agreement. HP Investment is working to obtain the necessary assurances, but the
11 administrative review and approval process at several administrative agencies is taking
12 more time than expected.

13 The Parties are confident that the necessary approvals will be obtained and that a
14 water line extension agreement will be executed in conjunction therewith. Therefore, the
15 Parties respectfully request that an extension of time to comply with the July 13, 2007 be
16 granted in the public interest.

17 RESPECTFULLY SUBMITTED this 30th day of August, 2007.

18 FENNEMORE CRAIG, P.C.

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20 By 

21 Jay L. Shapiro
22 Patrick J. Black
23 Attorneys for HP Investment Corporation

24 and

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LAW OFFICE OF DOUGLAS C. NELSON,
P.C.

By *Patrick Zwick* For
Douglas C. Nelson
Attorneys for Appaloosa Water Company

Original and thirteen (13) copies
of the foregoing were filed this
30th day of August, 2007 with:

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

Copy of the foregoing hand-delivered
This 30th day of August, 2007, to:

Yvette Kinsey, Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Charles Hains
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

By: *Maria Sanjore*

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