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BEFORE THE ARIZONA CORPORATION COMMISSION Commission

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COMMISSIONERS

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JEFF HATCH-MILLER, Chairman
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MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
BEAVER DAM WATER COMPANY FOR
DELETION OF A PORTION OF ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY IN MOHAVE COUNTY, ARIZONA.

DOCKET NO. W-03067A-04-0216

IN THE MATTER OF THE APPLICATION OF
SUNRISE UTILITIES, L.L.C. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER AND
WASTEWATER SERVICE IN MOHAVE
COUNTY, ARIZONA.

DOCKET NO. WS-04247A-04-0604

PROCEDURAL ORDER

BY THE COMMISSION:

On March 23, 2004, Beaver Dam Water Company ("BDWC") filed with the Arizona Corporation Commission ("Commission") an application requesting the deletion of a small portion of its certificated service area in Mohave County, Arizona. Concurrently with BDWC's filing, Sunrise Utilities, L.L.C. ("Sunrise") filed an application for a Certificate of Convenience and Necessity ("Certificate") with the Commission to provide public water and wastewater utility service to various parts of Mohave County, Arizona, which includes the area included in BDWC's application for deletion.

On October 25, 2005, the Commission issued Decision No. 68247 approving both applications with certain conditions, including that Sunrise be required to file a copy of the Arizona Department of Environmental Quality's ("ADEQ") Certificate of Approval to Construct ("CAC") its arsenic treatment facilities by October 31, 2005.

On November 22, 2005, Sunrise filed a request for retroactive approval for an extension of time of two years, until October 31, 2007, to file a copy of the ADEQ's CAC because additional testing is required to determine whether arsenic removal is needed. The request also stated that the

1 legal descriptions on Exhibit B attached to the Decision are mislabeled and requested that a revised
2 legal description which was included with Sunrise's request replace the original Exhibit B.

3 On November 23, 2005, by Procedural Order, Staff was ordered to file a response by
4 December 9, 2005.

5 On December 9, 2005, Staff filed a response to Sunrise's request for a two year extension of
6 time for testing to determine whether arsenic removal is needed and for approval to replace Exhibit B
7 to Decision No. 68247 with a correctly labeled Exhibit B. Staff agreed to the replacement of Exhibit
8 B to Decision No. 68247 with the correctly labeled Exhibit B. However, Staff disagreed with the
9 requested two year extension of time in which Sunrise was to file a copy of its CAC for arsenic
10 facilities, if necessary, and recommended an extension of time be limited to one year from the date of
11 the Decision (October 25, 2006) to show Staff an indication that Sunrise will fulfill a bona fide need
12 for service.

13 On December 14, 2005, by Procedural Order, it was ordered Nunc Pro Tunc that Exhibit B to
14 Decision No. 68247 should be replaced with the correctly labeled Exhibit B attached to the
15 Procedural Order and Sunrise was granted a one year extension of time from the date of the Decision,
16 until October 25, 2006, to file a copy of its ADEQ CAC for arsenic treatment facilities, if necessary,
17 to provide water service.

18 On October 4, 2006, Sunrise filed with the Director of the Commission's Utilities Division
19 documentary evidence that it does not require arsenic treatment facilities and a request for an
20 additional year, until October 25, 2007, to file the following:

- 21 • a copy of the franchise from Mohave County for the certificated service
22 area for water and wastewater;
- 23 • a copy of the ADEQ CAC public water facilities;
- 24 • a copy of the developers' Letter(s) of Adequate Water Supply; and
- 25 • a copy of the Letter of Intent and/or Aquifer Protection Permit issued by ADEQ.

26 On November 7, 2006, Staff filed its response and recommended approval of Sunrise's request
27 for an extension because it appeared that there was a need for service.

28 On November 28, 2006, by Procedural Order, the request of Sunrise was granted for an

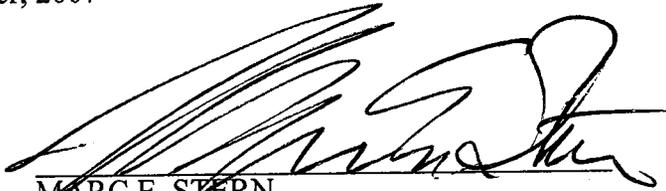
1 extension of one year, until October 25, 2007, to file copies of the following: a copy of the Mohave
2 County franchise for the certificated service area for water and wastewater; a copy of the ADEQ
3 Certificate of Approval to Construct public water facilities; a copy of the developers' Letter(s) of
4 Adequate Water Supply; and a copy of the Letter of Intent and/or Aquifer Protection Permit issued by
5 ADEQ.

6 On October 12, 2007, the Company updated the information in their October 3, 2006 request,
7 and further requested an additional 12 month extension of time to comply with Decision No. 68247,
8 until October 25, 2008.

9 Accordingly, the Commission's Utilities Division ("Staff") should file a Response.

10 IT IS THEREFORE ORDERED that Staff shall file a Response to the Sunrise Utilities,
11 L.L.C.'s Request for an extension of time to comply by January 31, 2008.

12 DATED this 20th day of November, 2007



MARC E. STERN
ADMINISTRATIVE LAW JUDGE

17 Copies of the foregoing mailed/delivered
18 this 20th day of November, 2007 to:

19 Beaver Dam Water Company
20 P.O. Box 550
21 Beaver Dam, AZ 86432

22 Richard L. Sallquist
23 SALLQUIST & DRUMMOND
24 2525 E. Arizona Biltmore Circle, Ste. 117
25 Phoenix, AZ 85016
26 Attorneys for Sunrise Utilities, L.L.C.

27 Stephen Timinskas
28 P.O. Box 3630
Mesquite, NV 89024

29 Christopher Kempley, Chief Counsel
30 Legal Division
31 ARIZONA CORPORATION COMMISSION
32 1200 West Washington Street
33 Phoenix, Arizona 85007

Ernest Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

By: 
Debra Broyles
Secretary to Marc Stern