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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

DEC 20 2007

COMMISSIONERS

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

2007 DEC 20 A 10: 35
AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
BENSCH RANCH UTILITIES, LLC FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE SEWER SERVICE.

DOCKET NO. SW-04026A-01-0499

PROCEDURAL ORDER

BY THE COMMISSION:

On June 21, 2001, Bensch Ranch Utilities, LLC ("Bensch Ranch" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity to provide wastewater service to two subdivisions in Yavapai County, Arizona.

On August 10, 2004, the Commission issued Decision No. 67180, conditionally granting the Company's application. Decision No. 67180 included specific conditions requiring the Company to secure Commission approval before changing its ownership structure.

On March 19, 2007, Bensch Ranch filed a Notice of Compliance with Decision No. 67180 and Request for Commission Approval. The March 19, 2007, filing requested Commission approval for Dwight L. Zemp, member of Bensch Ranch, to transfer, for the purpose of trust, 100 units of Bensch Ranch to Act III Investments, LLC. The Notice and Request stated that Mr. Zemp serves as manager of Act III.

On September 7, 2007, the Company filed an Application for Approval of Compliance with Decision No. 67180. In that filing, Bensch Ranch renewed its request for Commission approval for Dwight L. Zemp, member of Bensch Ranch, to transfer, for the purpose of trust, 100 units of Bensch Ranch to Act III Investments, LLC. In addition, the September 7, 2007, filing seeks approval to transfer units of the Company in accordance with a proposed agreement between Bensch Ranch and Pat Carpenter. The September 7, 2007 filing states that Pat Carpenter is the certified operator

1 providing operations and maintenance services to Bensch Ranch. A copy of the proposed agreement
2 was attached to the filing.

3 IT IS THEREFORE ORDERED that the Commission's Utilities Division Staff shall file, by
4 February 22, 2008, a recommendation for Commission action on Bensch Ranch Utilities, LLC's
5 September 7, 2007, filing.

6 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
7 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

8 DATED this 20th day of December, 2007.

9
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11 
12 TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
14 this 20th day of December, 2007 to:

14 Jay L. Shapiro
15 Patrick J. Black
16 FENNEMORE CRAIG, PC
17 3003 North Central Avenue, Suite 2600
18 Phoenix, AZ 85012
19 Attorneys for Bensch Ranch Utilities, LLC

20 Jason Williamson
21 Executive Director
22 PIVOTAL UTILITY MANAGEMENT
23 6845 East Tennessee Avenue, Suite 401
24 Denver, Colorado 80224

25 Christopher Kempley, Chief Counsel
26 Legal Division
27 ARIZONA CORPORATION COMMISSION
28 1200 West Washington Street
Phoenix, Arizona 85007

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

26 By: 
27 Debra Broyles
28 Secretary to Teena Wolfe