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ARIZONA CORPORATION COMMISSION  
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**Attorneys for Transferee AVM-2005, L.L.C.**

**THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF SIGNAL PEAK WATER COMPANY,  
INC. FOR APPROVAL OF THE SALE OF  
ITS ASSETS AND TRANSFER OF ITS  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO AVM-2005, L.L.C..

**DOCKET NO. W-02 109A-06-075 1**  
*Docket No. W-20496A-06-075 1*  
**DECISION NO. 69737**

**MOTION FOR EXTENSION OF TIME**

On June 6, 2007, an Opinion and Order (Decision No. **69737**) was entered in this case that granted the Applicant's request, but which, in addition, required the Transferee AVM-2005, L.L.C. ("AVM") to file a copy of the franchise issued by Pinal County for the certificated area within one-hundred eighty (180) days of the effective date of the Order.

AVM has been working diligently to file all compliance items pursuant to the Order, and as such, applied to Pinal County to transfer the franchise on September 4<sup>th</sup>, 2007. County officials and the County Attorney's office consistently reassured AVM that the transfer would be complete prior to the compliance deadline of January 26, 2008. However, due to staff shortages and work overload at the County they have been unable to process the transfer to date (*see attached Exhibit A*, correspondence from Rick Husk, Pinal County Attorney). Because of the assurances given by Pinal County that the transfer would occur in time, AVM did not file a motion for extension of time sooner.

1 Mr. Husk, has stated that he was assigned the matter and had anticipated being able to  
2 process the transfer in time, but that due to his workload he has yet to place the transfer on the  
3 County Board of Supervisors' agenda. In a recent phone call with Mr. Husk, he suggested an  
4 additional 90 days would be sufficient to process the matter, and he anticipates no further issues  
5 with the approval.

6 AVM feels that it has moved with all due speed to meet the Commission's requirement,  
7 but that its efforts have been frustrated by reliance on the County's assurances which were  
8 unrealized due to an overload of work and staff shortages.

9 Therefore, AVM herewith moves to extend the date for the required filing of a Pinal County  
10 Franchise from January 26, 2008 to April 25, 2008.

11  
12  
13 RESPECTFULLY SUBMITTED this 31st day of January, 2008.

14  
15 Rose Law Group pc

16 

17 M. Ryan Hurley  
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25

1 ORIGINAL and thirteen (25) copies of  
2 the foregoing were delivered via Hand Delivery  
3 this 31<sup>st</sup> day of January, 2008, to:

4 Arizona Corporation Commission  
5 Docket Control  
6 1200 Washington Street  
7 Phoenix, Arizona 85007

8 A copy of the foregoing was delivered via U.S. Mail  
9 this 31st day of January, 2008, to:

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By: 

**EXHIBIT A**



OFFICE OF THE PINAL COUNTY ATTORNEY

JAMES P. WALSH  
PINAL COUNTY ATTORNEY

CHRIS M. ROLL  
CHIEF CIVIL DEPUTY

January 30, 2008

Ryan Hurley, Esq.  
Rose Law Group, PC  
6613 N. Scottsdale Rd., Su. 200  
Scottsdale, AZ 85250

RE: Transfer request – Signal Peak Water Company to AVM-2005, LLC.

Dear Mr. Hurley,

Pursuant to your request, I am writing to confirm that this office received the above request on September 4, 2007. Preparation of the nonexclusive franchise agreement was delayed and we were unable to bring this request to the Board of Supervisors for consideration prior to the January 2008 Hearing date with the Arizona Corporation Commission.

Be assured that I will make every effort to send this request to the Pinal County Board of Supervisors as soon as possible.

Sincerely,

Rick V. Husk, Deputy  
Pinal County Attorney  
Civil Division