0000082840

ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED
2008 MAR 21 P 12: 04
AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED
MAR 21 2008
DOCKETED BY

COMMISSIONERS

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

IN THE MATTER OF ARIZONA PUBLIC SERVICE COMPANY AND VERIZON CALIFORNIA, INC.'S JOINT PETITION FOR THE ESTABLISHMENT OF AN UNDERGROUND CONVERSION SERVICE AREA.

DOCKET NO. E-01345A-07-0663
DOCKET NO. T-01846B-07-0663

STAFF'S BRIEF

I. INTRODUCTION

This case arises pursuant to A.R.S. § 40-341 et. seq., *Conversion of Overhead Electric and Communication Facilities*. The statue allows property owners to petition to the appropriate public service corporations to convert overhead electrical and communications facilities to underground facilities under certain conditions. If those conditions are met, the public service corporations are then obligated to petition the Arizona Corporation Commission ("ACC" or Commission") for an order establishing an underground conversion service area and directing the conversion of overhead facilities to underground.

The property owners within the Hillcrest Bay Mobile Manor ("Hillcrest"), near Parker, Arizona, submitted petitions to Arizona Public Service Company ("APS") in order to convert overhead facilities within their area to underground. In 2006, APS received a petition requesting a joint cost study be prepared. APS determined that the initial statutory requirements had been met, i.e., sixty percent of the property owners owning over sixty percent of the real property on a square footage basis. APS then coordinated with Verizon California, Inc. ("Verizon") for the production of Verizon conversion cost estimates in order to develop a joint report to the Hillcrest property owners. APS on behalf of itself and Verizon, mailed each property owner within the proposed underground conversion service area ("UCSA"), a copy of the Joint Report of Estimated Utility Conversion Costs, which contained the cost estimates of both APS and Verizon to convert the overhead lines of the companies to underground facilities. In June 2007, APS received the second set of petitions from

Hillcrest. The La Paz County Assessor certified that the copies of the petitions for the property owners were correct as stated with the address ("Establishment Petition"). APS and Verizon then filed the Joint Petition that is the subject of this action.

There is little guidance from previous Commission decisions or relevant case law to assist in shedding light on the statutory construction of A.R.S.§ 40-341 *et seq.* Staff could find only three dockets relating to underground conversion within the past 25 years. The last matter before the Commission was in 2004 and the petition failed for lack of the requisite number of petitioners pursuant to the statutory requirements.[1] Those previous Decisions provide some guidance in determining what the statute means.

The establishment of an UCSA in the Hillcrest Bay has generated a significant amount of public comment. An UCSA can bring with it the specter of significant costs to a property owner. However, the legislature has provided a means for citizens to improve the aesthetics of the property and to spread the costs as fairly as possible within the UCSA. Against that backdrop, Staff will endeavor to provide meaningful guidance to assist in the determination of this matter. Specifically, the Administrative Law Judge, in the procedural order dated February 22, 2008 outlined four issues to be discussed: (i) an analysis of the meaning of the language of A.R.S.§ 40-346(A) with respect to the standard necessary for the approval of an UCSA; (ii) how should owners to be counted for purposes of meeting the requirements of A.R.S. §40-346 (A); (iii) should parcel 274 be included in the UCSA and (iv) what effect, if any, should be given to the late filed requests for the withdrawal of signatures and objections.

II. OVERVIEW OF CONVERSION PROCESS

The conversion process begins with a petition signed by not less than 60 percent of the owners of contiguous real property within the area who own not less than 60 percent on a square foot basis of the real property within the area. The petition is directed to the appropriate public service corporation to initiate a study of the cost associated with the conversion of overhead to underground.[2] Within 120 days of receipt of such a petition, each public service corporation serving the area sought to be designated as an underground conversion service is required to make a study of the cost of

[1] Dec. No. 67437, Docket No. T-01051B-04-0276 (December 3, 2004).
[2] A.R.S. § 40-342(A).

conversion of the facilities to underground.[3] Once that study is complete, a summary of the estimate of the cost to be assessed against each lot or parcel of real property is to be made available to each owner of real property located within the proposed underground conversion service area.[4]

Once the cost study is made available to the property owners, they have 90 days in which to decide whether they want to continue with the process of conversion. If so, 60 percent of the owners of real property representing 60 percent of the real property's area within the proposed conversion service area must petition each public service corporation for the establishment of an underground conversion area. Upon receipt of this petition, the public service corporation has sixty days in which to petition the Commission for the establishment of an underground conversion service area.[5] After appropriate notice is provided as required by statute, the Commission is required to conduct a hearing regarding the establishment of the underground conversion service area.[6]

On the same day that the joint petition is filed, A.R.S. § 40-343 requires recording a notice of proposed lien where the affected property is located. A.R.S. § 40-344 requires that any person wishing to withdraw from the petition or who objects to the establishment of the UCSA, to file such objections with the Commission not later than ten days prior to the date set for hearing. A.R.S. § 40-345 specifically provides the procedure by which the Commission is to determine the validity of protest, objections and withdrawal of signatures from the petition. If, after the hearing, the Commission determines that no more than 40 percent of the owners who own no more than 40 percent of the real property within the proposed UCSA have not objected to the formation of the UCSA and if the Commission determines that the conversion is economically and technically feasible, the Commission is required to issue an order establishing the area as a UCSA.[7]

III. WHAT IS MEANT BY "...OWNERS OF NO MORE THAN FORTY PER CENT OF THE REAL PROPERTY WITHIN THE UNDERGROUND CONVERSION SERVICE AREA OR NO MORE THAN FORTY PER CENT OF THE OWNERS OF REAL PROPERTY HAVE NOT OBJECTED TO THE FORMATION OF THE UNDERGROUND CONVERSION SERVICE AREA..."?

---

[3] A.R.S. § 40-342(D).
[4] A.R.S. § 40-342(F).
[5] A.R.S. § 40-343(B).
[6] A.R.S. § 40-346.
[7] A.R.S. § 40-346.

The primary rule of statutory construction is to find and give effect to legislative intent.[8] The starting point for interpretation of a statute "is the language of the statue itself"[9]. Words are given their ordinary meaning unless the context of the statute requires otherwise.[10] If the language of a statute is clear and unambiguous, the court will apply the plain meaning of the language unless a plain meaning interpretation would lead to an absurd result or a result at odds with the legislature's intent.[11] When a statute is ambiguous or when a proposed construction would result in an absurd result, a court may then "consider the statute's context; its language, subject matter and historical background; its effects and consequences; and its spirit and purpose.[12]

There are no reported court decisions regarding the interpretation of this statute. The legislative history sheds no light. It would be reasonable to conclude that the legislative intent is to provide means for the conversion of overhead facilities to underground if a majority of the property owners agree to bear the costs after notice and an opportunity to be heard. But the standard to guide the Commission in its determination, A.R.S. § 40-346 is not artfully drafted and as such is ambiguous. To aid in determination on how best to proceed, it is instructive to review previous Commission decisions on the issue. Instructive are the three previous Commission decisions on the issue.

In Decision No. 55490, an UCSA was established following an application submitted by Tucson Electric Power ("TEP") and The Mountain States Telephone and Telegraph Company ("Mountain Bell").

In *Tucson Electric Power,* TEP and Mountain Bell submitted a petition for the establishment of a UCSA because property owners within a section of Oro Valley, Estates subdivision requested TEP and Mountain Bell to convert overhead facilities within their area to underground. In that case, TEP found that 62.05 percent of the property owners owning more than 60 percent of the real property in the conversion area had validly signed the petition.

---

[8] Mail Boxes v. Industrial Commission 181 Ariz. 119, 121, 888 P.2d 777, 779 (1995).
[9] Kaiser Aluminum & Chem Corp v. Bonjorno, 494 US 827, 835 (1990) quoting Consumer Prod. Safety Comm'n v. GTE Sylvania, Inc. 447 US 102, 108 (1980).
[10] A.R.S. § 1-213.
[11] Kaiser Aluminum & Chem Corp v. Bonjorno, 494 US 827, 835 (1990) quoting Consumer Prod. Safety Comm'n v. GTE Sylvania, Inc. 447 US 102, 108 (1980).
[12] Callan v. Bernini, 213 Ariz 257, 260 quoting Hayes v. Continental Ins. Co, 178 Ariz 264.

In that Decision, the Commission found that "[a]side from the Commission's finding regarding *feasibility* of conversion, the Commission's only function herein is to determine whether 40 per cent or more of all the property owners have objected to the formation of the underground CSA[conversion service are]"[13] The Commission did not assess any apparent ambiguity with the statutory construction of A.R.S.§ 40-346(A), finding that "the Petitioners and property owners have satisfied all requirements provided by the laws of the State of Arizona for the formation of an underground CSA...and that "[s]ome owners of real property within the underground CSA objected to the formation of said area but the objections were insufficient to affect its formation."[14]. The Decision does not record the number of objections or the number of those "who have not objected", but reaches its decision by focusing on the number of property owners who were in support of the UCSA, which was approximately 62.05 percent. It appears that the Commission took a common sense approach in its interpretation of the statute.

The other Decision on the issue, found that 69 percent of the owners owning 74 percent of the property signed the establishment petition and that the requirements for the establishment of an underground conversion service area have been satisfied. In that matter there were no objections and no withdrawal of signatures, but the focus was on the number of property owners who were in favor of an UCSA. [15]

Decision No. 67437 construes the meaning of less than 40 percent who have not objected as meaning more than 40 percent have objected.[16] In that case, Salt River Project ("SRP") received a petition from the Park Paradise Conversion District requesting a cost study be performed for the establishment of an UCSA. SRP coordinated the production of conversion cost estimates with Qwest Corporation ("Qwest") and Cox Communications. Qwest filed the petition with the Commission. More than ten days prior to the hearing, a number of withdrawals and objections were lodged with the Commission.

At the hearing in that docket, Staff testified that the petition was not supported by sixty percent of the owners of real property within the area who owned to less than sixty percent of the real

[13] Dec. No 55490, Dockets No. U-1933-86-193, E-1051-86-193 (March 19, 1987).
[14] *Id.* at 10.
[15] Dec. No. 57051, Docket No. E-1051-90-129 (August 22, 1990).
[16] Dec. No. 67437, Docket No. T-01051B-04-0276 (December 6, 2004).

property as required by the statute. Staff further testified that the petition is opposed by owners of more than forty percent of the real property and by more than forty percent of the owners of real property "in contravention of the requirements set forth in A.R.S. § 40-346(A)." [17]

It appears that the requirement of A.R.S. § 40-342(B), that not less than 60 percent of the property owners owning more than 60 percent of the square footage are needed to initiate a cost study coupled with the requirement of A.R.S. § 40-343(A) that not less than 60 percent of the property owners owning not less than 60 percent of the square footage after receipt of the cost study, must then trigger the filing of the establishment petition by the applicable public service corporation, speaks to the legislative desire that there be a substantial number of property owners are willing to pay their share of the conversion costs to enable the public service corporation to proceed with the conversion. A.R.S. § 40-345 provides the mechanism for submitting protest, objections and signature withdrawals. Along with the notice requirements of A.R.S. § 40-344(C), it appears that the legislature wanted to provide ample opportunity for property owners to affirmatively object.

The footnote, in the Procedural Order dated February 22, 2008, arguing that 40-346(A) "taken literally, this means that if 100% of the owners have not objected, there is a problem (as owners of more than 40% would have not objected)" as well as comments during the hearing [18] would lead to a result that would frustrate the obvious legislative intent, that if a substantial number of property owners are willing to bear the cost of conversion, after being given ample notice and opportunity to affirmatively express disapproval, then the conversion should go forward. Further, in the two Commission decisions interpreting A.R.S. § 40-346(A), the Commission gave a common sense reading to a rather ambiguous statute.

In looking at the petitioners, the protest letters and the withdrawals, Staff determined that there were 239 parcels within the proposed UCSA. Of the 239 parcels, 151 property owners voted yes[19] as indicated by their signatures affixed to the Establishment Petition. Those 151 property owners comprised over 60 percent of the property owners owning 60 percent or more of the square footage. Staff reviewed 38 letters of protests or no votes, associated with discrete parcels, as of 10

[17] *Ibid.*
[18] TR 34:23-25; 35:1-11.
[19] Previous to the January 18, 2008 hearing.

days prior to the date of the hearing. There was no response from the remainder of the property owners, even after the substantial notice that is given under the statute.

If viewed similar to the view of the Commission in Decision No. 55490 and Decision No. 67437, the focus appears to be whether there are more than 60 percent of property owners owning 60 percent of the square footage are in favor of the UCSA or whether forty percent of more of the property owners owning forty percent or more or the property object to the UCSA. If more than 40 percent object, in line with a previous Commission decision, the petition fails; if 60 percent or more are in favor and the conversion is economically and technically feasible, the project goes forward. This reading of the statute is a common sense view and appears to approximate the legislative intent: that the more than a simple majority of the property owners in a proposed UCSA understand the costs of the conversion and are willing to pay.

Staff is sympathetic to those who allege financial hardship. The Hillcrest Home Owners Association has docketed a letter which indicates that it would be willing to assist those who show a true financial hardship. Staff is not equipped to determine the degree of hardship for each individual property owner nor is the Commission tasked with that function by statute. Staff sought to minimize the hardship by recommending that payments be recovered over 15 years plus interest at the lesser of (a) the lowest prime interest rate published in the Wall Street Journal at the time the conversion is complete or (b) eight percent.[20]

IV. HOW SHOULD THE PROPERTY OWNERS BE COUNTED FOR PURPOSES OF MEETING THE STATUTORY REQUIREMENTS IF HE OWNS MORE THAN ONE PARCEL OR IF THERE ARE MORE THAN ONE OWNER FOR A PARCEL?

The ALJ, during the hearing, questioned how a property owner was counted if that owner owned more than one lot or parcel or how property was counted where there were multiple owners.[21] A common sense reading of the statute, particularly A.R.S. § 40-345, would suggest that where there are multiple owners, one signature is enough to allow the property to be counted, particularly since the statute only requires one owner's signature to withdraw. If the legislature had wanted 100 percent consensus among multiple owners of one lot or parcel, it would seem logical that it was have said so in § 40-345. Likewise, common sense would dictate that each property in the proposed UCSA be

[20] Ex S-3 at 8.
[21] TR 35:12-19.

counted, whether a person owned one parcel or multiple parcels. Each lot will be assessed conversion cost consistent with the statute.

Staff asserts that the statute places the burden on the public service corporations involved to determine whether the petition for a cost study and an Establishment Petition have met the statutory requirements sufficient enough to trigger an obligation on its part to perform a cost study and to submit an application to the Commission for the designation of the area as an UCSA. Part of the sufficiency analysis would include how to count the property owners, whether one signature is sufficient to bind all other joint owners and if one property owner owns more than one lot, how many votes does he get. Aside from the Commission's findings of economic and technical feasibility, the Commission's only function is to determine whether 40 percent or more of all the property owners have objected to the formation of the establishment of an underground conversion service area.

APS and Verizon appear to have counted each parcel, respective of whether a person owned more than one parcel and looked at one signature where there were multiple owners as sufficient. Staff finds their actions reasonable.

V. PARCEL 274 SHOULD NOT BE INCLUDED IN THE UCSA

It is Staff's position that Parcel 274 should not be included in the UCSA. Although the testimony is conflicting, subsequent responses by APS to Staff's data request as well as a letter to the docket by La Paz County, appear to indicate that the Parcel was not intended to be included.

The determination of the boundaries of an UCSA comes from the property owners in their petition to a public service corporation for a cost study. A.R.S. § 40-342(C) requires that the cost study petition be accompanied by a plat or sketch indicating the boundaries of the proposed UCSA.

In the instant case, the boundaries are somewhat ambiguous. In the attachment to the application, APS and Verizon included the plat submitted by the petitioners. That plat does not indicate a Parcel 274. Staff asked a question concerning "Tract A" and discovered that Tract A was the same as Parcel 274. In the preparation of the cost study, APS indicated that Parcel 274 was owned by La Paz County, who declined to participate voluntarily in the conversion area and no conversion costs were assigned to that parcel or apportioned to the other property owners.[22]

[22] Ex A-1.

APS witness Wilson's testimony during the hearing created confusion. Mr. Wilson testified that in preparing the application for submission to the commission, there was confusion between APS, Verizon, and John Sears, Chairman of Hillcrest Underground Conversion Project.[23] In response to a question from ALJ Harpring, Mr. Wilson testified that Parcel 274 was to be included.[24] He further testified that in the Establishment Petition, he had initially included Parcel 274, because he felt that there were different standards for what needed to be included in the petitions for the cost study versus what was required for the Establishment Petition. He said the discrepancy "centered around excluding that parcel owned by La Paz County."[25] Judge Harpring recognized that there were no costs associated with Parcel 274, but later Mr. Wilson states that the square footage for Parcel 274 was excluded from the calculation and the [public] costs were apportioned over all the other parcels pro rata according to square footage percentage.[26] APS bolsters this testimony by asserting that Parcel 274 should not be included in the UCSA because the parcel is owned by La Paz County and is a "public place" as defined by A.R.S. § 40341(9).

The La Paz County Board of Supervisors submitted a letter to the docket dated March 6, 2008, stating its position regarding Parcel 274. According to the Board, it is the County's position that it would not be fiscally responsible for the County to pay conversion costs. Further, the parcel is county property because of the failure of the previous owners to pay the assessed taxes. The County alleges that because of the topography as well as its inaccessibility, the parcel is unsuitable for building. The County appears to agree with the interpretation of APS that the parcel is "public property" as defined by the statute.

The representative from the Hillcrest Underground Utility Project, John Sears, submitted a letter to the docket. In that letter, he indicated that Parcel 274 was not intended to be a part of the conversion area.

The burden of determining the boundaries of the proposed conversion area lies with the property owners and the affected utility. When the property owners received the Cost Study, they were put on notice that Parcel 274 was not included in the conversion area or in the cost

[23] TR 95:5-9.
[24] TR 96:1-7.
[25] TR 95:15-17.
[26] TR 96:9-15.

calculations.[27] It appears that the arguments of La Paz County, the Hillcrest Underground Utility Project Committee and APS that Parcel 274 was not to be included are reasonable to Staff.

VI. LATE WITHDRAWALS SHOULD NOT BE COUNTED AND EVEN IF THEY ARE COUNTED THEY DO NOT AFFECT THE OUTCOME.

Any discussion of the legal consequences of late withdrawals and protests, should start with a discussion of A.R.S. § 40-435, which provides guidance with respect to protests, objections and withdrawals along with A.R.S. § 40-344(A). A.R.S. § 40-344(A) states that if anyone wishes to withdraw a signature or register an objection shall file such objections within ten days of the date set for the hearing. The issue is whether the word "shall" is used in that section in a mandatory or a directory sense. If it is mandatory, failure to file an objection or withdrawal ten days prior to the hearing results in a disallowance of that objection or withdrawal. If directory, it is a mere direction or instruction, which does not invalidate the withdrawal.

The construction of the use of the word "shall" was already at issue in this matter. APS and Verizon filed its Joint Petition, on November 26, 2007, more than sixty days after receiving the Establishment Petition. A.R.S. § 40-343(B) states that the public service corporation shall file within 60 days thereafter [receipt of the Establishment Petition], a petition to the commission for the establishment of an UCSA. Staff adopted the reasoning in a previous Commission Decision and urged that the "shall" was not mandatory but desirable; that there was no harm to the parties and that the proceeding should go forward.

This issue, the effect of the word "shall", was addressed in a previous Commission decision, Decision No. 55490.[28] Like APS and Verizon, TEP and Mountain Bell failed to submit its application timely. The Commission focused on statutory construction as well as what tangible harm may be present to other parties. The Commission relied on the holding in the *Department of Revenue v. Southern Union Gas Co.*[29] and determined that the failure to file within the statutory time frame did not result in any detriment to the parties. The Commission found that there was overwhelming support for the UCSA.

---

[27] The Notes on page 6 of the Cost Study state: "Parcel 310-32-274 is owned by La Paz County who has declined to voluntarily participate, therefore this parcel has been deleted from this spreadsheet."
[28] Dec. No 55490, Dockets No. U-1933-86-193, E-1051-86-193 (March 19, 1987).
[29] 119 Ariz 512, 582 P2d 158 (1978).

At issue in the *Department of Revenue* was a statute, which provided that the Superior Court "shall" hear property tax appeals within ninety days after the appeal is docketed. Since the appeal in that case was not heard within ninety days, the court had to determine the legal consequence of non-compliance with the ninety-day provision. In discussing the distinction between mandatory and directory statutory provisions, the court said that the ordinary meaning of "shall" in a statute is to impose a mandatory provision; however the word "shall" may be deemed directory when the legislative purpose can best be carried out by such construction. Further the court found that if a requirement is mandatory, failure to follow the requirements results renders further proceedings invalid; if the ninety day provision in question was directory only and that non-compliance with that provision did not invalidate the court proceeding so as to require dismissal.

The court determined that it is the legislative intent, which determines whether a statutory provision is mandatory, or directory and that it is appropriate in determining that intent to examine the effect and consequences of alternative constructions of the statute.

In the instant case, Staff would argue that the effect of allowing withdrawals and protests to be lodged after the hearing might vitiate the need for a hearing. Parties would assume that the necessary statutory requirements have been met, marshal its resources to prepare for a hearing, and then at a time, which could be well after the hearing date and even after the issuance of a recommended opinion an order, be told that the statutory requirements for a hearing have not been met, requiring a restarting of the process. And the parties would also face the uncertainty that the same scenario could occur again in a new proceeding. For parties to have confidence in the process and to preserve the integrity of the process there needs to be a date certain where the parties are ready to proceed. The "shall" in this instance should be viewed as mandatory.

Further there is ample notice provided by the statute alerting those who object or wish to withdraw of the time frames and the procedures to follow. Not only does the utility provide notice by mail, publication and posting, the Commission through the hearing division provides notice as well.

And assuming that the withdrawals filed after the conclusion of the hearing are accepted in this case, it would not change the outcome. There would still be more than 60 percent of the owners who own more than 60 percent of the square footage who are in favor of the UCSA.

VII. CONCLUSION

Staff continues to recommend approval of the Joint Petition.

RESPECTFULLY submitted this 21st day of March, 2008.

Robin R. Mitchell
Attorney, Legal Division
1200 West Washington Street
Phoenix, Arizona 85007
Telephone: (602) 542-3402

Original and thirteen (13) copies of the foregoing were filed this 21st day of March, 2008 with:

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

Copy of the foregoing mailed this 21st day of March, 2008 to:

Jeffrey Crockett
Robert J. Metli
Snell & Wilmer, L.L.P.
One Arizona Center
400 E. Van Buren
Phoenix, Arizona 85004-2202
Attorneys for Arizona Public Service Company

Thomas L. Mumaw
Megan Grabel
Pinnacle West Capital Corporation
00 North 5th Street
P.O. Box 53999, MS 8695
Phoenix, Arizona 85072-3999
Attorneys for Pinnacle West Capital Corporation

Thomas H. Campbell
Michael T. Hallam
Lewis & Roca, LLP
40 N. Central Avenue
Phoenix, Arizona 85004
Attorneys for Verizon California, Inc.

Copy of the foregoing mailed this
21st day of March, 2008 to
the parties of record:

Hillcrest Water Company
Barbara Dunlap
915 E. Bethany Home
Phoenix, AZ 85014

David P. & Patricia Carmichael
912 South Easthills Drive
West Covina, CA 91791

Robert L. & Roberta A. Golish
501 N. Clentine Street
Anaheim, CA 92801

Richard S. & Joy M. Muzic, Trustees
Muzic Living Trust
10313 Felson Street
Bellflower, CA 90706

Mikel W. Little
C/O Jennifer Fletcher
9 Via Parplona
RCH STA Margari, CA 92688

Fred A. & Lynne S. Muzic
16411 Underhill Lane
Huntington Beach, CA 92647

Carl Alvarado
791 Bay View Drive
Parker, AZ 85344

Duane E. & Ruth V. Ferguson, Trustees
2814 Manor View Drive
Parker, AZ 85344

Mac & Joyce Frazier
1777 Lewis Avenue
Long Beach, CA 90813

Clark & Piper A. Slone
40641 Bear Creek Street
Indio, CA 92203

Andrew R. & Shanna S. McCloskey
5000 Windy Circle
Yorba Linda, CA 92887

Edward Woodworth Deuel III &
Nancy Lee Deuel, Trustees
Deuel Family Trust
6892 Via Carona Drive
Huntington Beach, CA 92647

George Nault
La Paz County Assessor
1112 Joshua Avenue
Suite 204
Parker, AZ 85344

Cynthia McGregor
914 E. Swan Drive
Parker, AZ 85344

Kent A. & Teresa B. Thompson
13811 Mayport Avenue
Norwalk, CA 90650

XSI Properties, Inc.
17051 Mockingbird Canyon Road
Riverside, CA 92504

Larry & Laura S. Greseth
1026 Yavapai Hills Drive
Prescott, AZ 86304

Rick Wood
21 Palmera
RNCH STA Margar, CA 92688

Jim Thurman
#31, 9352 Creekside Court
Santee, CA 92071-4748

Beth S. Shamnurg
Jeffrey G. Johnson U/M
2775 Hillcrest Drive
Parker, AZ 85344

Hollis Harvey
130623
Big Bear Lake, CA 92315

Ted & Carla Bultsma & Leslie
Gossenberger
P.O. Box 3612
Running Springs, CA 92382

Andre M. & Linda E. Duran
& Simonette A. Lovato
23147 Donahur Court
Moreno Valley, CA 92553

Clyde L. & Jeanne F. Hentzen
2949 Dunlap Drive
Parker, AZ 85344

Betty Jane Bryant
Glodie June Jordan
78976 Spirit Court
Palm Desert, CA 92211

Robert A. & Sally J. Shore, Trustees
21225 Pinebluff Drive
Trabuco Canyon, CA 92679

Linda Ledbetter
570 Rim View Drive
Twin Falls, ID 83301

Juliana Perez
4169 Mentone Avenue
Culver City, CA 90232

Kenneth J. & Eileen K. Thompson
Trustee
78710 Darrell Drive
Bermuda Dunes, CA 92201

Ruben Jr. & Diane Gomez
William C. & Constance Riach
Jed William Riach
P.O. Box 112
Running Springs, CA 92382

Nando Haase
830 Bay View Drive
Parker, AZ 85344

Elizabeth A. Hacke
858 Vay View
Parker, AZ 85344

Michael J. Schaper
7383 SVL Box
Victorville, CA 92392

Jack M. & Barbara Jo Hutchens,
Trustees
Hutchens Family Trust
151 N. Holgate
La Habra, CA 90631

Hillcrest Bay, Inc.
924 Bay View Drive
Parker, AZ 85344

Barbara A. Demerest
11616 Reche Canyon Road
Colton, CA 92324

Douglas & Karen Greer
37293 Marina View
Parker, AZ 85344

Adam G. Madrigal
3763 Live Oak Drive
Pomona, CA 91767

Kathi A. Bevan
21499 Ray Armstrong Road
Andalusia, AL 36421-1882

Jane Schue, Trustee
Schue Living Trust
3706 Bluegrass Drive
Lake Havasu City, AZ 86406

Bertha M. Stites, Trustee
P.O. Box 432
Acme, MI 49610

Robert & Kathleen Thurman
415 Portola Street
Sam Dimas, CA 91773

Thomas W. & Teddie Jo Lorch,
Trustees
Thomas W. Lorch & Teddie Jo
Lorch Trust
2948 Via Blanco
San Clemente, CA 92673

Vernon G. & Loretta J. Kraus
5388 W. Jagger Road
Ludington, MI 49431

Philip J. Garcia
Deborah A. Laurence
3152 Walker Lee Drive
Los Alamitos, CA 90720

Harold Eric & Kathie Jo Jones
4715 E. Warwood Road
Long Beach, CA 90808

Malliett Investments LLC
5373 W. First Street
Ludington, MI 49431

Thomas J. & June K. Kraus
10765 Barnes Road
Eaton Rapids, MI 48827

John D II & Jacqueline Y. Yarbrough
Yarbrough Revocable Trust
P.O. Box 616
Parker, AZ 85344

Terence W. A. Bitrich
1021 N. Puente Street
Brea, CA 92821

Randy J. & Rachael Anne Stewart
1826 Comarago Court
Corona, CA 92883

Karen L. & James C. Bibby
873 Swan Drive
Parker, AZ 85344

Stuart & Denise Currie
Richard J. & Andrea Wilke, Trustees
Wilke Family Revocable Trust
David M. & Dorothy D. Glyn
4545 Sunfield Avenue
Long Beach, CA 90808

John M. & Peggy J. Steiner, Trustees
Steiner Family Trust
3220 Saratoga Avenue
Lake Havasu City, AZ 86406

Donale E. Lee
P.O. Box 2008
Irvindale, CA 91706-1008

Jo-Anne M. Lynn
872 E. Swan Drive
Parker, AZ 85344

Donald & Virginia Vaughn
888 Swan Drive
Parker, AZ 85344

Thomas P. & Cynthia A. McGregor,
Trustees
McGregor Trust
914 E. Swan Drive
Parker, AZ 85344

Gary L. & Suzanne A. Smith
531 Apache Drive
Placentia, CA 92870

Troy & Tammie Ward
41775 Cascades Court
Temecula, CA 92591

Ronald J. & Phyllis McDonell,
Trustees
McDonnell Family Trust
P.O. Box 71
Marsing, ID 83639

Robert & Bonnie Strong
3602 Fairman
Lakewood, CA 90712

William A. & Gayl C. Baca
9700 La Capilla Avenue
Fountain Valley, CA 92708

Kevin D. Martin
Kevin D. & Melanie Martin
1214 Las Arenas Way
Costa Mesa, CA 92627

Howard A. & Helen F. Twardoks
15933 Malden Street
North Hills, CA 91343

Earl & Erna Davis
922 Max View Drive
Parker, AZ 85344

Kevin R. & Cynthia Anne Runge
4485 Sunburst Drive
Oceanside, CA 92056

John W. & Catherine M. Marchesi,
Trustees
Marchesi Family Trust
3224 Hill View Drive South
Chino, CA 91710

Robyn L. Stein
2338 N. Eaton Court
Orange, CA 92867

Joseph M. & Alis E. Troya
Peter W. & Ilene Kraemer
3551 Ames Place
Carlsbad, CA 92008

John R. & Judith L. P. McLean
Dallsa Noc c/o:
Attn: Bill Receipt Area 7th Floor
5081 Norris Street
Irvine, AC 92604

Linda Kay Clamp
David Edward Seaver
3457 El Camino Real
Palo Alto, CA 94306

Arthur C. Wood, III
Steven D. Wood & Brian D. Wood
2968 Thoroughbread Street
Ontario, CA 91761

Alfred & Sheryl Beauvais
5318 Elk Court
Fontana, CA 92336

Scott D. & Grace D. Babcock
15944 East Milvern Drive
Whittier, CA 90604

Charles T. & Ellen L. S. O'Neill
22062 Broken Bow Drive
El Toro, CA 92630

Raymond D. & Patricia Easley
4161 Ricardo Drive
Yorba Linda, CA 92886

Sharon Error, Trustee
Sharon Error Trust
P.O. Box 575745 H
Salt Lake City, UT 84157

Louis M. & Linda D. Wilson
4421 E. Valley Gate
Anaheim Hills, CA 92807

Boyce L. & Teresa A. Harker
Trent W. & Laura M. Harker
79-165 Canterra Circle
La Quinta, CA 92253

Victor M. & Priscilla M. Horta
8057 Armagosa Drive
Riverside, CA 92508

Leah C. Wagner
7516 Shoup Avenue
West Hills, CA 91307

Dennis A. & Phyllis A. Ingram
828 Crystal View Drive
Parker, AZ 85344

Charles E. & Judy Rutledge,
Trustees
Rutledge Family Trust
P.O. Box 185
Lucerne Valley, CA 92356

Merle D. & Janet J. Calvin
862 Crystal View Drive
Parker, AZ 85344

Pamela A. Leggett, Trustee
Pamela A. Leggett Revocable Trust
P.O. Box 1395
Parker, AZ 85344

Laurence A. & Marjorie Ward
867 E. Linger Drive
Parker, AZ 85344

Thomas J. Gealy IV & Denis M. Gealy
Edward Ferrall, Sr. & Margaret Ferrall
Edward Ferrall, Jr. & Susan Ferrall
18250 Devonwood Circle
Fountain Valley, CA 92708

Paul L. & Carol A. Pudewa
3531 Lama Avenue
Long Beach, CA 90808

Robert & Danielle Franck
134 Villa Rita Drive
La Habra Heights, CA 90631

Theodore R. & Mary L. Marical
711 Rosewood Lane
La Habra, CA 90631

Andrew P. & Debra D. Grimes
904 Linger Drive
Parker, AZ 85344

Thomas F. Anderson
Ernest Vanier & Robert K. Anderson
2918 Redwood Circle
Fullerton, CA 92635

Judith B. Shipley
14325 Laurel Drive
Riverside, CA 92503

Gary J. Schmitt
3229 Kluk Lane, Ste. 100
Riverside, CA 92501

Craig A. & Cindy S. Martin, Trustees
Martin Family Revocable Trust
2184 Cartwheel Circle
Corona, CA 92880

Jerome P. & Karen M. Bowe
849 Max View Drive
Parker, AZ 85344

Dan & Teri Peters
5838 Applecross Drive
Riverside, CA 92507

William & Harlayne Bond
6042 W. Potter Drive
Glendale, AZ 85308

Robert W. & Camille A. Hughes
13803 Pequot Drive
Poway, CA 92064

Roberta A. & Donald A. Anderson
143 Sharon Road
Santa Ana, CA 92706

Caleb J. & Kristina A. Brandel
Judith B. Shipley
7307 Lenox
Riverside, CA 92504

Cynthia I. Miles & Sandra Magana
961 N. Cleveland Street
Orange, CA 92867

Delvin G. & Gertrude A. Warren
Jenna Messina
278 Agate Way
Broomfield, CO 80020

Donald & Melody Clark
16900 Taft Street
Riverside, CA 92508

Ricky & Karen L. Bullard
814 Anderson Court
Redlands, CA 92374

Judi L. Noble
1444 E. 13th Street
Upland, CA 91786

Gerald D. Flores
25092 Portsmouth
Mission Viejo, CA 92692

Gary W. Smith
791 E. Linger Drive
Parker, AZ 85344

Tom w. & Kathryn A. Ayers,
Trustees
Ayers Revocable Trust
40795 Nicole Court
Hemet, CA 92544

Timothy Gordon & Robin Alicia Evans
24482 Chamalea
Mission Viejo, CA 92691

Khanim Poplet
981 Charles Street
Banning, CA 92220

Timothy G. & Robin A. Evans H/W
24482 Chamalea
Mission Viejo, CA 92691

Keith Blanchard
10529 Cantrell Avenue
Whittier, CA 90604

Scott K. Jones, Jr. & Zahira V.
Delgadillo, Trustees
Jones Revocable Trust
5732 Placerville Place
Yorba Linda, CA 92886

Mildred R. Dann
2195 N. Slope Terrace
Spring Valle, CA 91977-3631

Philip S. & Ina L. Wigley
250 E. Forest Avenue
Arcadia, CA 91006

Filmore H. Anderson
Virginia L. Anderson
920 E. Swan Drive
Parker, AZ 85344

Link T. & Sandra C. Johnson, Trustees
Johnson Revocable Living Trust
1112 W. Houston Avenue
Fullerton, CA 92633

Mark S. & Jeannine Long
548 Woodhaven Court
Upland, CA 91786

Linda Seidenglanz
Bill & Carol Crane
15040 Kinai Road
Apple Valley, CA 92307

William H. & Shari D. Dage
P.O. Box 1297
Banning, CA 92220

Richard M. Hoyt
Mark A. & Kathy A. Hoyt
38821 Kilimanjaro Drive
Palm Desert, CA 92211

John W. & Jamie Brandel Kourkos
14255 Judy Ann Drive
Riverside, CA 92503

Thomas David & Susan Thomas
2508 Dashwood Street
Lakewood, CA 90712

Shane Jolicoeur
852 Linger Drive
Parker, AZ 85344

Scott & Carole A. Jones, Trustees
Jones Revocable Trust
7991 Inwood
La Palma, CA 90623

Edward Mark & Beverly A. Lauer
914 Linger Drive
Parker, AZ 85344

Constance Ann Estabrook
1426 Cleveland Loop Drive
Roseburg, OR 97470

Rick J. McCurdy
6417 Sherman Way
Bell, CA 90201

Janice Powers
934 Linger Drive
Parker, AZ 85344

William E. & Jeannette L. Horn
954 E. Linger Drive
Parker, AZ 85344

William M. & Joan L. Whittlinger
P.O. Box 1394
Texas City, TX 77592-1394

Ronald & Sylvia Nelson
835 Max View Drive
Parker, AZ 85344

Robert Rester
Patricia Ann Hoffman
16729 Sage Circle
Chino Hills, CA 91709

Annette M. Kincaid
1975 W. Linden Street
Riverside, CA 92507

William W. & Geraldine Brandel
Gerald C. & Carol L. McGinnis, Trustees
McGinnis Family Trust
3370 Less Avenue
Long Beach, CA 90808

Ronald K. & Lorranine C. Johnson
885 Crystal View Drive
Parker, AZ 85344

Richard A. & Kimerly E. Hampton
1143 Andrew Lane
Corona, CA 92881

Nancy Suzanne Archer
861 Crystal View Drive
Parker, AZ 85344

Albert L. & Maria G. Reyes
11751 Roswell Avenue
Chino, CA 91710

Larry Cartwright
445 B Avenue
Coronado, CA 92118

Wyman & Donna J. Johnson
17806 Quantum Place
Pierre, SD 57501

Wayne D. & Zelma M. Dunham, Trustees
P.O. Box 68
San Clemente, CA 92674

Veronica Pedregon
855 Bay View Drive
Parker, AZ 85344

Charles E. Stirewalt
2932 Ballesteros Lane
Tustin, CA 92672

Russell E. & Shirley A. Misspaugh
2874 Manor View Drive
Parker, AZ 85344

John Jacob & Calvin Nyles Westra
Trustees
Westra Family Trust
4379 Hwy 147
Lake Almanor, CA 96137

Kelli Smith
927 High Country
Glendora, CA 91740

James C. Schmidt, Jr. & Carol L. Schmidt
16045 Matlin Road
Ramona, CA 92065

Melvin Edward Hegler
18729 Lemarsh
Northridge, CA 91324

Antonio & Ilen Elias-Calles,
Trustees
Elia-Calles Family Trust
18922 Flagstaff Lane
Huntington Beach, CA 92646

Richard L. & Nancy L. Fisher
582 W. Mount Carmel Drive
Claremont, CA 91711

Randy R. & Lisa T. Poole
8019 E. Gray Road
Scottsdale, AZ 85260

Jerry & Kelly Goodman
68440 Tahquitz Road #4
Cathedral City, CA 92234

Melvin E. Hegler
18729 Lemarsh Street
Northridge, CA 91324

Frank I. & Jan Robles
P.O. Box 31417
Tucson, AZ 85751

Wesley E. Bergstron, Sr. &
Therese Bergstrom
25681 Palmwood Drive
Moreno Valley, CA 92557

Anne Grisham
816 Noble View Drive
Parker, AZ 85344

Michael S. & Marie B. Mendez
4091 Carroll Court
Chino, CA 91710

Matthew Annala
13122 Olympia Way
Santa Ana, CA 92705

Richard L. & Helen T. Powell
874 Noble View Drive
Parker, AZ 85344

Duane E. & Ruth V. Ferguson, Trustees
2814 Manor View Drive
Parker, AZ 85344

Kent A. & Teresa B. Thompson
13811 Mayport Avenue
Norwalk, CA 90650

Albert & Amelia Nevares
4756 Murietta Street
Chino, CA 91710

Johnny A. & Billie Dodson
816 Bay View Drive
Parker, AZ 85344

Gale M. & Eileen C. Dalton
2910 S. Manor View
Parker, AZ 85344

Steve Benton & Delia Alvarado
2948 S. Noble View Drive
Parker, AZ 85344

Roy & Margaret Hokenson
880 Bay View
Parker, AZ 85344

Timothy & Jola Nette Hubbs
P.O. Box 474
Running Springs, CA 92382

Larry W. & Shearl Lynn Thompson
12642 Lamplighter
Garden Grove, CA 92845

Brian Wood & Arthur Wood
3217 S. North Shore Drive
Ontario, CA 91761

Michael & Tamara Wilkinson
4 Bella Firenze
Lake Elisinore, CA 92532

Louise Denver
889 Swan Drive
Parker, AZ 85344

Carlson T. & Darlene E. Loftis,
Trustees
Loftis Revocable Living Trust
54 West Forest Trail
Freesoil, MI 49411

Norman R. & Dianna L. Dump
9329 Lake Canyon Road
Santee, CA 92071

Charles S. & Barbara Manning,
Trusteees
29214 Old Wranger Road
Canyon Lake, CA 92587

Michelle M. Gayler
P.O. Box 1413
Thermal, CA 92274

Robert P. & Carol E. Bischoff,
Trustees
Bischoff Living Trust
651 Center Crest
Redlands, CA 92373

Kenneth R. Hepler, Jr.
40735 La Colima
Temecula, CA 92591

Edward F. Mueller
6684 Vinal Haven Court
Cypress, CA 90630

Larry & Laura S. Greseth
718 Black Drive
Prescott, AZ 86301

David M. & Renee L. Welker
2875 Hillcrest Drive
Parker, AZ 85344

E. V. Gault
9018 Lakeview Drive
Parker, AZ 85344

Rodney W. Kawagoye
Judy C. Wilson
2971 Dunlap Drive
Parker, AZ 85344

George & Debbie Radvansky
2855 Hillcrest Drive
Parker, AZ 85344

Gerald & Shawna Johnson
P.O. Box 80
Cabazon, CA 92230

Richard R. Gervais
5234 Carlingford Avenue
Riverside, CA 92504

Gerald W. & Michelle C. Gatlin
Jeffrey W. Gatlin & Tracy A. Gatlin
17618 Regency Circle
Bellflower, CA 90706

Dowell A. & Katherine S. Kubicka,
Trustees
Kubicka Family Trust
6819 Tahiti Drive
Cypress, CA 90630

Trevor Goldi & Sierra Smith-Goldi
Earline R. Pool
828 Swan Drive
Parker, AZ 85344

Clifton D. & Viola J. Lee, Trustees
Lee Family Revocable Trust
229 Tudor
Covina, CA 91722

Ronald D. & Mary P. Lee
14049 Farmington Street
Oakhills, CA 92344

Jo Ann C. Goldbach, Trustee
Jo Ann C. Goldbach Revocable Trust
880 Swan Drive
Parker, AZ 85344

Cummins Investments, Inc.
P.O. Box 665
Lake Havasu City, AZ 86405

Leah W. Wagner
7516 Shoup Avenue
West Hills, CA 91307

Raymond G. Grossman, St. & Ann M.
Grossman
118 N. Morada
W. Covina, CA 91790

Victor A. Kukuruda
30670 Watson Road
Homeland, CA 92548

Jacqueline J. & Sandra J. Johnson
809 Crystal View Drive
Parker, AZ 85344

Brian Bolton
#2 Vista Del Sol
Laguna Beach, CA 92651

Charles Joseph Swan
2801 Hillcrest Drive
Parker, AZ 85344

Michael E. & Melanie A. Stewart
2793 Hillcrest Drive
Parker, AZ 85344

William H. & Shari D. Dage
P.O. Box 1297
Banning, CA 92220

Gregory K. & Michelle L. Walsh
15611 Obsidian Court
Chino Hills, CA 91709

La Paz County
1108 Joshua Avenue
Parker, AZ 85344

Adam G. Madrigal
315 Hamilton Street
Costa Mesa, CA 92627

David & Susan Thomas
3540 465th Avenue
Ellsworth, WI 54011

Martin Brannan
La Paz Xounty Attorney
1320 Kofa Avenue
Parker, AZ 85344

Scott K. Jones, R. & Carole A. Jones
Trustees
Jones Revocable Trust
7991 Inwood Lane
LaPalma, CA 90623

Marvin L. & Joan K. Jordan
P.O. Box 228
La Quinta, CA 92253

Glenn E. Ecker & Patricia A. Tanges
880 Crystal View Drive
Parker, AZ 85344

Gregory C. & Gwendolyn Mesna
Nathan J. & Whitney Mesna
P.O. Box 2344
Running Springs, CA 92382

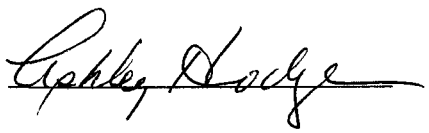
Albert O. Lafreniere
1691 Chandler Drive
Lake Havasu City, AZ 86403

Leslie Gossenberger
794 West Brittany Lane
Clovis, CA 93619

Robert & Lori Nielson
P.O. Box 401971
Hesperia, CA 92340

Gary & Yvonne Sutton
31956 Rosales Avenue
Murrieta, CA 92563

John L. & Jane R. Sears,
Trustees of the Sears Living Trust
10532 Mira Vista Drive
Santa Ana, CA 92705

Dan R. & Vivian T. Good, Trustee
Dan R. Good & Vivian T. Good
Declaration of Trust
P.O. Box 53 Hwy 108
Strawberry, CA 95375

Dennis R. & Catherine Roustan,
Trustees
Roustan Living Trust
1640 E. Appalachian Road
Flagstaff, AZ 86004