

ORIGINAL



0000083037

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

DOCKETED

2008 MAR 24 A 11: 26

MAR 24 2008

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY	nr
-------------	----

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF
NORTHERN SUNRISE WATER COMPANY FOR
A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER SERVICE IN
COCHISE COUNTY, ARIZONA.

DOCKET NO. W-20453A-06-0247

IN THE MATTER OF THE APPLICATION OF
SOUTHERN SUNRISE WATER COMPANY FOR
A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER SERVICE IN
COCHISE COUNTY, ARIZONA.

DOCKET NO. W-20454A-06-0248

IN THE MATTER OF THE JOINT APPLICATION
OF NORTHERN SUNRISE WATER COMPANY
AND SOUTHERN SUNRISE WATER COMPANY
FOR THE APPROVAL OF SALE AND
TRANSFER OF WATER UTILITY ASSETS, AND
CANCELLATION OF CERTIFICATES OF
CONVENIENCE AND NECESSITY, FOR
MIRACLE VALLEY WATER COMPANY,
COCHISE WATER COMPANY, HORSESHOE
RANCH WATER COMPANY, CRYSTAL WATER
COMPANY, MUSTANG WATER COMPANY,
CORONADO ESTATES WATER COMPANY,
AND SIERRA SUNSET WATER COMPANY,
LOCATED IN COCHISE COUNTY, ARIZONA.

DOCKET NOS. W-20453A-06-0251
W-20454A-06-0251
W-01646A-06-0251
W-01868A-06-0251
W-02235A-06-0251
W-02316A-06-0251
W-02230A-06-0251
W-01629A-06-0251
W-02240A-06-0251

PROCEDURAL ORDER

BY THE COMMISSION:

In Decision No. 68826 (June 29, 2006), the Arizona Corporation Commission ("Commission") authorized Northern Sunrise Water Company ("NSWC") and Southern Sunrise Water Company ("SSWC")(collectively "Applicants") to acquire the assets of Miracle Valley Water Company, Cochise Water Company, Horseshoe Ranch Water Company, Crystal Water Company, Mustang Water Company, Coronado Estates Water Company and Sierra Sunset Water Company (collectively "McLain Water Systems"). Pursuant to the Decision, NSWC and SSWC were to complete certain capital improvements to their water systems by August 25, 2007, and the Decision

1 provided that Applicants could file a request to extend that deadline prior to June 30, 2007. On May
2 30, 2007, Applicants filed a motion to extend the deadline to February 19, 2008. The Commission
3 granted the Applicants' extension request by Procedural Order dated August 16, 2007.

4 On February 14, 2008, Applicants filed a "Motion of Extension of Time to Comply with
5 Decision No. 68826." In their Motion, Applicants informed the Commission that the improvements
6 to the SSWC-Cochise and Horseshoe systems would be completed by February 19, 2008, and
7 requested another extension of time to complete the improvements to the other systems.¹

8 Decision No. 68826 ordered that:

9 after the projects for a system or systems are completed, NSWC and
10 SSWC shall file a notice of completion in this docket, which should
11 include an Approval of Construction from ADEQ for those projects
12 requiring ADEQ approval. Staff shall have 20 calendar days to complete
its inspection and review of the filing and file any objection or its
concurrence with the Notice. If the Staff memo concurs that the projects
are completed, the moratorium would be considered lifted for that system
or systems.

13 On February 25, 2008, Algonquin Water Services ("Algonquin"), the parent company of
14 NSWC and SSWC, contacted the Commission's Utility Division ("Staff") to schedule a field
15 inspection.

16 On March 4, 2008, Staff conducted a field inspection of the SSWC-Cochise and Horseshoe
17 systems.

18 On March 12, 2008, SSWC filed a "Notice of Completion" for the SSWC-Cochise and
19 Horseshoe water systems.

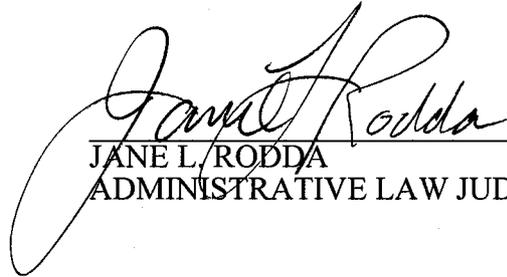
20 On March 14, 2008, Staff filed a Memorandum regarding Compliance with Decision No.
21 68826, and responding to the "Notice of Completion." Staff reports that having verified that the
22 improvement projects ordered for the SSWC-Cochise and Horseshoe water systems have been
23 completed, Staff recommends that the existing moratorium for the Cochise and Horseshoe systems be
24 lifted.

25
26
27
28 ¹ The Commission will address the extension request in a subsequent order.

1 SSWC has complied with the requirements of Decision No. 68826 with respect to the Cochise
2 and Horseshoe systems. Consequently, the moratorium on new connections for the SSWC-Cochise
3 and Horseshoe systems is deemed lifted.

4 IT IS THEREFORE ORDERED that pursuant to the terms of Decision No. 68826, the
5 moratorium on new connections for the SSWC-Cochise and Horseshoe systems is deemed lifted.

6 DATED this 21st day of March, 2008.

7
8
9
10
11

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

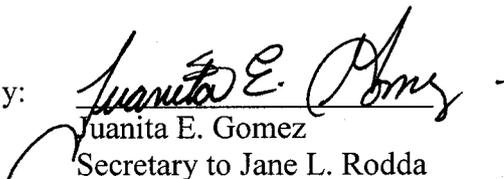
11 Copies of the foregoing mailed
this 21st day of March, 2008 to:

12 Mr. Jay Shapiro
13 Mr. Patrick Black
14 Fennemore Craig, PC
15 3003 North Central Avenue
16 Suite 2600
17 Phoenix, Arizona 85012
18 Attorneys for Applicants

19 Mr. Steve Cockrum
20 5328 Corral Drive
21 Hereford, Arizona 85635

22 Mr. Christopher Kempley, Chief Counsel
23 Legal Division
24 ARIZONA CORPORATION COMMISSION
25 1200 West Washington Street
26 Phoenix, Arizona 85007

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

By: 
Juanita E. Gomez
Secretary to Jane L. Rodda