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2008 APR 29 P 4: 36

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED
APR 29 2008

1 FENNEMORE CRAIG, P.C.
2 A Professional Corporation
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5 3003 North Central Avenue
6 Suite 2600
7 Phoenix, Arizona 85012
8 Telephone (602) 916-5000

9 Attorneys for Northern Sunrise Water Company
10 and Southern Sunrise Water Company

DOCKETED BY

BEFORE THE ARIZONA CORPORATION COMMISSION

11 IN THE MATTER OF THE APPLICATION OF
12 NORTHERN SUNRISE WATER COMPANY FOR A
13 CERTIFICATE OF CONVENIENCE AND
14 NECESSITY TO PROVIDE WATER UTILITY
15 SERVICE IN COCHISE COUNTY, ARIZONA.

DOCKET NO. W-20453A-06-0247

16 IN THE MATTER OF THE APPLICATION OF
17 SOUTHERN SUNRISE WATER COMPANY FOR A
18 CERTIFICATE OF CONVENIENCE AND
19 NECESSITY TO PROVIDE WATER UTILITY
20 SERVICE IN COCHISE COUNTY, ARIZONA.

DOCKET NO. W-20454A-06-0248

21 IN THE MATTER OF THE JOINT APPLICATION
22 OF NORTHERN SUNRISE WATER COMPANY
23 AND SOUTHERN SUNRISE WATER COMPANY
24 FOR THE APPROVAL OF SALE AND TRANSFER
25 OF WATER UTILITY ASSETS, AND
26 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

**NOTICE OF FILING PROOF OF
PUBLICATION AND MAILING**

23 Pursuant to the Procedural Order dated February 29, 2008 ("Order"), Northern Sunrise
24 Water Company and Southern Sunrise Water Company ("Applicants") hereby submit this Notice
25 of Filing Proof of Publication and Mailing in the above-captioned matter.

c.

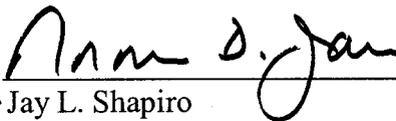
1 On April 17, 2008, notice regarding the July 8, 2008 hearing on Applicants' request to
2 extend their Certificates of Convenience and Necessity ("Notice") was published in the *Sierra*
3 *Vista Herald* and the *Bisbee Daily Review*. The affidavit of Pamela M. McElroy, Agent to the
4 Publisher of the *Sierra Vista Herald* and the *Bisbee Daily Review*, is attached hereto as Exhibit A.

5 On April 18, 2008, Applicants sent, via first class U.S. mail, a copy of the Notice to
6 property owners within the requested extension area, and a copy of the Order to the appropriate
7 public service corporations. See Affidavit of James W. Humble attached hereto as Exhibit B.

8 After the mailing was complete, Applicants discovered that the Notice should have been
9 sent via certified mail. Additionally, on or about April 22, 2008, Staff contacted Applicants and
10 requested that the Notice provide a toll free phone number for interested parties to call.
11 Applicants modified the Notice per Staff's request ("Amended Notice" attached hereto as
12 Exhibit C), and on April 24, 2008 sent it again to all property owners, this time via certified mail.
13 See Exhibit B. Applicants have no opposition if the deadline for intervention were to be extended
14 accordingly.

15 DATED this 29th day of April, 2008.

16 FENNEMORE CRAIG, P.C.

17
18 By: 

19 600 Jay L. Shapiro
20 Patrick J. Black
21 Suite 2600

22 3003 North Central Avenue
23 Phoenix, Arizona 85012

24 Attorneys for Northern Sunrise Water Company
25 and Southern Sunrise Water Company
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ORIGINAL and 17 copies filed
this 29th day of April, 2008 to:

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

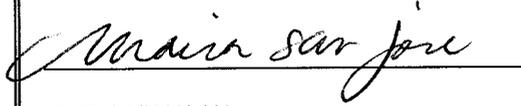
Copy sent via e-mail and U.S. mail
this 29th day of April, 2008 to:

Jane L. Rodda, ALJ
Hearing Division
Arizona Corporation Commission
400 W. Congress St.
Tucson, AZ 85701

Copy hand delivered
this 29th day of April, 2008 to:

Christopher Kempley, Chief Legal Counsel
Legal Division
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Kevin Torrey
Legal Division
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007



2057778.1/20898.001

c.

EXHIBIT

A

STATE OF ARIZONA)
)
) ss.
COUNTY OF COCHISE)

AFFIDAVIT OF PUBLICATION

PAMELA M MCELROY

Pamela M McElroy being first
duly sworn, deposes and says: That (he) (she) is the Agent to the Publisher of the
SIERRA VISTA HERALD and the BISBEE DAILY REVIEW newspapers printed and
published six days a week in the County of Cochise, State of Arizona, and of general
circulation in the cities of Sierra Vista and Bisbee, County of Cochise, State of Arizona
and elsewhere, and hereto attached

PUBLIC NOTICE

PUBLIC NOTICE OF HEARING
ON APPLICATION BY
NORTHERN SUNRISE WATER
COMPANY AND
SOUTHERN SUNRISE WATER
COMPANY FOR
EXTENSION OF THEIR
CERTIFICATES OF
CONVENIENCE AND
NECESSITY

DOCKET NO. W-20453A-06-0247

DOCKET NO. W-20454A-06-0248

On January 2, 2008, Northern Sunrise Water Company and Southern Sunrise Water Company (collectively "Applicants") filed an application with the Arizona Corporation Commission ("Commission") for an extension of their Certificates of Convenience and Necessity ("Certificate") in Cochise County, Arizona. If the application is granted the Applicants would be the exclusive providers of water service within the requested extension areas, and would be required to provide service on the terms and conditions as established by the Commission.

APPLICANTS HAVE BEEN DIRECTED TO MAIL THIS NOTICE TO ALL AFFECTED PROPERTY OWNERS. IF YOU RECEIVED THIS NOTICE BY MAIL, YOUR PROPERTY IS INCLUDED IN THE REQUEST TO BE INCLUDED IN APPLICANTS' SERVICE AREAS. AFFECTED PROPERTY OWNERS WHO DO NOT WISH THEIR PROPERTY TO BE INCLUDED IN THE APPLICANTS' SERVICE AREAS, MUST FILE A REQUEST WITH THE COMMISSION TO HAVE THEIR PROPERTY EXCLUDED. IF YOU DO NOT RESPOND TO THIS NOTICE, AND THE REQUEST IS APPROVED, YOUR PROPERTY WILL BE INCLUDED IN THE APPLICANTS' SERVICE AREAS. SUCH REQUESTS FOR EXCLUSION SHOULD BE MAILED TO THE APPLICANTS AND THE ORIGINAL AND COPIES FILED WITH THE COMMISSION IN CARE OF DOCKET CONTROL, 1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007 BY JUNE 13, 2008. ALL CORRESPONDENCE SHOULD CONTAIN THE DOCKET NUMBERS SET FORTH ABOVE.

The applications are available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and in Tucson, at 400 West Congress St., Suite 218, Tucson, Arizona, and at the offices of the Applicants, c/o Greg Sorenson, Algonquin Water, 12725 W Indian School Road, Suite D, 101, Avondale, AZ 85392. The application is also available on the Commission's website, www.azcc.gov, using the Docket link.

The Commission has not made a determination on Applicants' request and will hold a hearing on this matter on July 8, 2008 at 10:00 am or as soon thereafter as is practical, at the Commission's Tucson offices, Room 222, West Congress St., Tucson, Arizona 85701.

PUBLIC NOTICE OF
HEARING DOCKET NO
W-20453A-06-0247
DOCKET NO

W-20454A-06-0248

was printed and published correctly in the regular and entire issue of said SIERRA VISTA
HERALD and BISBEE DAILY REVIEW for 1 issues, that the first was

made on the 17th day of APRIL 20 08

and the last publication thereof was made on the 17th day of

APRIL 20 08

that said publication

was made on each of the following dates, to wit:

04/17/08

Request of

~~SIERRA VISTA HERALD~~
Sierra Vista Herald
Bisbee Daily Review

By

Subscribed sworn to before me this 17th day of APRIL

20 08

Notary Public in and for the County of Cochise, State of Arizona

My Commission Expires:

The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene in the proceedings and participate as a party. You may have the right to intervene in the proceeding. Intervention will be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before June 13, 2008. Persons desiring to intervene must file a written motion to intervene, plus 13 copies, with the Commission and send a copy of the motion to Applicants or their counsel and to all parties of record. The motion must, at the minimum, contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different from that of the intervenor.

2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer or potential customer of the Applicant, a member or shareholder of the Applicant, etc.).

3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the applications. You will not receive any further notice of this proceeding unless you request it. Comments may also be made by writing to the Commission in care of Docket Control, 1200 W. Washington, Phoenix, Arizona 85007. All correspondence should contain the Docket Numbers set forth above.

If you have any questions about this application, you may contact Applicants at Algonquin Water, c/o Greg Sorensen, 12725 W. Indian School Road, Suite D-101, Avondale, AZ 85392, (623) 298-3753. If you want further information on intervention or have questions on how to file comments, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-3931; E-mail LHogan@azcc.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

PUBLISH: April 17 2008

EXHIBIT

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AFFIDAVIT OF JAMES W. HUMBLE

James W. Humble, being duly sworn, deposes and says:

1. I am a resident of Pinal County, over 18 years of age, and make this affidavit based on my own personal knowledge.

2. I am the Development Services Manager for Algonquin Water Services, LLC.

3. Pursuant to the Procedural Order dated February 29, 2008 ("Order"), on April 18, 2008 Northern Sunrise Water Company and Southern Sunrise Water Company ("Applicants") sent to respective property owners, via first class U.S. mail, a copy of the public notice regarding the July 8, 2008 hearing on Applicants' request to extend their Certificates of Convenience and Necessity ("Notice").

4. On April 18, 2008, Applicants sent a copy of the Order, via first class U.S. mail, to all certified public service corporations providing water service in areas contiguous to the proposed extension area.

5. On April 24, 2008, Applicants resent to property owners within the requested extension area a copy of the Notice via certified first class U.S. mail.

6. Pursuant to the Order, Applicants submit this proof of mailing.

James W. Humble
James W. Humble

SUBSCRIBED and sworn to before me this 28th day of April, 2008.



Linda A. Byrd
Notary Public

My Commission Expires:
July 22, 2011
2057708.1/20898.001

EXHIBIT

C

PUBLIC NOTICE OF HEARING ON APPLICATION BY
NORTHERN SUNRISE WATER COMPANY AND
SOUTHERN SUNRISE WATER COMPANY FOR
EXTENSION OF THEIR
CERTIFICATES OF CONVENIENCE AND NECESSITY
DOCKET NO. W-20453A-06-0247
DOCKET NO. W-20454A-06-0248

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The Commission has not yet made a determination on Applicants' request and will hold a hearing on this matter on **July 8, 2008 at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's Tucson offices, **Room 222, 400 West Congress St., Tucson, Arizona 85701.**

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