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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF
 LUCKY HILLS WATER COMPANY FOR AN
 EXTENSION OF ITS CERTIFICATE OF
 CONVENIENCE AND NECESSITY.

DOCKET NO. W-01961A-06-0037

PROCEDURAL ORDER

BY THE COMMISSION:

In Decision No. 69381 (March 22, 2007), the Arizona Corporation Commission ("Commission") approved the application of Lucky Hills Water Company ("Lucky Hills" or "Company") for an extension of its Certificate of Convenience and Necessity ("CC&N" or Certificate"). Decision No. 69381, *inter alia*, ordered Lucky Hills to file "a copy of the Approval of Construction for a new 2,000 gallon storage facility to service its existing service area, within 12 months of the effective date of this Decision."

On March 21, 2008, Lucky Hills requested a six month extension of the deadline. In its request the Company reports that it has ordered the storage tank but that as of the date of its request, the tank had not been delivered and that consequently, the Approval of Construction has not been received from the Arizona Department of Environmental Quality ("ADEQ").

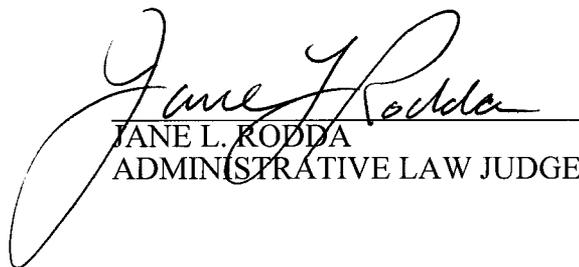
On May 21, 2008, the Commission's Utilities Division ("Staff") filed a Memorandum addressing the Company's request. Staff states that it investigated the circumstances of the extension request with the Company and its attorney and recommends that the deadline to file the Approval of Construction be extended until November, 22, 2008. According to Staff, the Company reports that it ordered the storage tank in March 2008, received it in April and is currently contemplating its installation. The Company currently has only four customers and told Staff that extra funds are always an issue which is why it is taking so long to complete the project. As a result of its discussions with the Company, Staff reports that it believes that November 22, 2008, would be a

1 more reasonable deadline than the six months originally requested by the Company. Staff reports
2 that the Company has adequately met the other requirements of Decision No. 69381.¹ Staff
3 recommends that in addition to extending the deadline, the Company be put on notice that it should
4 work diligently to ensure that Commission requirements are completed by the original Commission
5 ordered due date.

6 Lucky Hills is an extremely small water company and is making efforts, albeit slowly, to
7 comply with the Commission's orders. If the Company is able to expand its service area, its finances
8 should improve. Under the circumstances, the request, as modified, is reasonable.

9 IT IS THEREFORE ORDERED that the deadline set forth in Decision No. 69381 for Lucky
10 Hills Water Company to file a copy of the Approval of Construction for a new 2,000 gallon storage
11 facility to service its existing service area is extended until November 22, 2008.

12 DATED this 9th day of June, 2008.

13
14
15 
16 JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

17 Copies of the foregoing mailed
18 this 9th day of June, 2008 to:

18 Patti M. Bright
19 Lucky Hills Water Company
20 P.O. Box 309
Tombstone, Arizona 85638

21 Steve Wene
22 Moyes Storey, Ltd
1850 N. Central Ave., Ste 1100
Phoenix, Arizona 85004

23 Ms. Janice Alward, Chief Counsel
24 Legal Division
ARIZONA CORPORATION COMMISSION
25 1200 West Washington Street
Phoenix, Arizona 85007

26 ¹ In addition to the new storage tank intended to serve the Company's existing customers, the Commission ordered Lucky
27 Hills to file an Approval to Construct for the facilities to serve the extension area within two years of the effective date of
28 the Decision; a copy of the Designation of Adequate Water Supply or developer's Letter of Adequate Supply for the
expansion area within 180 days; a county franchise that includes the expansion area within one year; and a curtailment
tariff within 45 days.

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

By: 
Juanita Gomez
Secretary to Jane L. Rodda