

DOCKET Nos: W-02105A-08-0262



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MT. TIPTON WATER COMPANY

RECEIVED

2008 JUL 21 A 9:48

AZ CORP COMMISSION
DOCKET CONTROL

ORIGINAL

FAX

TO: Judge Sarah Harpring	FROM: Judy Morgan
FAX: 602-542-4230	FAX: 938-767-3053
PHONE:	PHONE: 928-767-3713
SUBJECT:	DATE: July 21, 2008
COMMENTS:	Pages including cover sheet: 6

Arizona Corporation Commission

DOCKETED

JUL 21 2008

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INSURANCE CENTER OF KINGMAN, INC.

2755 NORTHERN AVE.
KINGMAN, ARIZONA 86409

PHONE: (928)757-3191

FAX: (928)757-9122

FAX COVER

Date: JULY 18, 2008

To: Mt. Tipton Water Company
Attn: Judy Morgan

From: Roberta J. Martin
E-Mail: commercial@citlink.net

Re: \$89,040. Bond
POLICY #:

Of pages: 1

Additional comments:

Judy --

I have checked with our bonding company and have been advised that the type of bond requested above is expensive and difficult to obtain unless the business requesting the bond has a very strong financial picture. Bonds are a guarantee of payment and bonding companies want to be assured that in the event of a default they would be able to collect the monies that have been paid out.

I have one more company to check with and will contact them on Monday, then advise you of my findings.

Thanks for your patience.

Roberta



15996 Ironwood Drive, P.O. Box 38, Dolan Springs, AZ 86441
928-767-3713 Fax: 928-767-3053

July 20, 2008

Arizona Corporation Commission
Judge Harpring, Administrative Law Judge
1200 W. Washington
Phoenix, Arizona 85007-2996

RE: Docket No. W-02105A -08-0262 &
Docket No. W-02105A-07-0510

Dear Judge Harpring,

I am respectfully writing this letter of explanation in case I am unavailable for the telephonic procedural conference scheduled for the purpose of determining whether posting and mailings of notice was completed as required by Procedural Order issued June 13, 2008. I have a prior commitment for a very important event in my life, which I do not wish to miss.

Docket No. W-02105A -08-0262:

This letter is in regards to the telephonic procedural conference notice issued by your office. Unfortunately for us, Mr. Janik or the office staff has received this Procedural Order. If we had, we would have been ecstatic knowing we were moving forward on the emergency rate increase. The first notice we received was a Staff Report dated July 11th. This was addressed to Mr. John Jacoby, not John Janik. We wonder if the Procedural Order may have been addressed the same, it may not have been distributed to us from the post office.

In lieu of this notice not arriving at our office, we respectfully request a three-week extension to comply with the posting and mailings. The letter and posting notice have been prepared, and are now ready to be distributed (see attached posting).

According to the Staff Report dated July 11, 2008, staff recommends the Company post a bond with the commission prior to implementing the emergency rate increase. We have contacted our insurance company, they explained that the bond would be expensive, and hard to attain if we are not in financial good standing. They are, however checking with another bond company (see attached fax). Our bank no longer issues assurance bonds. This seems to be a hurdle we may not be able to reach at a reasonable rate. We would appreciate any suggestions you may have to offer.

The recommendations also notes that before emergency rates become effective, the Company must file its 2008 annual report with the Corporations Division. This has been faxed, as well as mailed to the Commission. If for some reason, it has not been received, I will resend it immediately.

Docket No. W-02105A-07-0510:

You so graciously granted a procedural order on May 22, 2008 for a two week extension to R4, R5, R6 and R7 and you so graciously granted that two week extension. I faxed copies to Charles Myhlhousen to view. After a short conversation with Charles, he informed me the offsite fees report would need to be changed. Therefore, I have not been able to comply by the July 18th deadline. I apologize for the delay, and once again respectfully request an extension of three more weeks.

I truly want to comply in a timely manner. Circumstances which contribute to the delay, include:

- The Board of Directors has changed several times. Since January 31, 2008, nine directors have resigned, and new directors have been appointed.
- Our staff consists of 4 employees, and two left leaving the company with two new employees.
- Stage 4 emergency, approximately 500 customers were without water due to 2 major breaks in our system.
- Preparing application for an emergency rate case.
- Complying with requests for the emergency rate case.
- ADEQ made a complete inspection of our system, and requested information immediately.
- In addition to my regular duties, the Board of Directors have directed me to request permission to sell property which is not pertinent to the business of selling water, and to make application to change our Detridal lease agreement with BLM.
- You may recall from Mr. Jacoby's testimony, the Board of Directors were meeting to terminate my position with the company. This continues to be an issue, and the Board of Directors are split and the debate goes on. This can sometimes be a hostile environment to work in, and the stress becomes an issue in regards to my performance.

I want to thank you for taking the time to review my requests and concerns regarding these issues. I will do my best to comply with any recommendations and extensions you may grant us.

Thank you for your consideration.

Sincerely,



Judy Morgan, Manager

**PUBLIC NOTICE OF THE HEARING ON
MOUNT TIPTON WATER CO., INC.'S
APPLICATION FOR AN EMERGENCY RATE INCREASE**

Docket No. W-02105A-08-0262

Mount Tipton Water Co., Inc. has requested that the Arizona Corporation Commission determine whether an emergency rate increase of \$10.00 per customer should be granted. The Commission will determine whether an emergency exists and may, based on the evidence presented at hearing, deny the request or approve an interim rate either higher or lower than that requested by Mount Tipton.

The Commission will hold a **public hearing** on this request beginning **July 25, 2008, at 10:00 a.m.**, in Hearing Room #1 at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Customers may attend the hearing and make public comments or file written comments with the Commission. Written comments may be submitted by e-mail or by mailing a letter referencing Docket No. W-02105A-08-0262 to:

Arizona Corporation Commission
Consumer Services Section
1200 West Washington St.
Phoenix, AZ 85007

For a form to use and instructions on how to e-mail comments to the Commission, go to http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000.

Interested parties may intervene by filing a written motion to intervene with the Commission no later than **July 18, 2008**. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervener obtaining counsel to represent the intervener. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>, or contact the Commission's Consumer Services Section at 1-800-222-7000. Failure to intervene will not preclude a customer from appearing at the hearing and making a statement on the customer's own behalf.

The application and all filings are available on the Commission's website (www.azcc.gov) using the e-Docket function.

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 the ADA Coordinator, Linda Hogan at Lhogan@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

Mt. Tipton Water Company

P.O. Box 38
15996 N. Ironwood Drive
Dolan Springs, AZ 86441
Phone: 928-767-3713 or 767-3298
Fax: 928-767-3053

Fax

Date: July 21, 2008

FAX #: 1-602-~~364-2270~~

542 - 2129

To: ACC
Brian Bozzo

From: Judy Morgan

Pages (including fax cover): *X 6*

Brian,

I sent this fax to Charles Myhlhousen to pass on to Judge Harpring. I'm so nervous about this not getting to her. I have a fax number for Charles of 364-2270. I hope he can get it to her before the telephonic conference.

I will try to be on the line at 10:00 a.m., but I can't promise anything.

As always, thank you for your help, and support.

Judy

Mt. Tipton Water Company

P.O. Box 38
15996 N. Ironwood Drive
Dolan Springs, AZ 86441
Phone: 928-767-3713 or 767-3298
Fax: 928-767-3053

Fax

Date: July 21, 2008

FAX #: 1-602-364-2270

To: ACC
Charles Myhlousen
Judge Sarah Harpring, Administrative Judge

From: Judy Morgan

Pages (including fax cover): 5

Charles,

I would like to ask a huge favor of you. Enclosed are copies of a letter I would like Judge Harpring to see before the telephonic conference, scheduled for this morning at 10:00.

Today is the day that Officer Thompson receives his lifesaving award for Denny. This is a very important day for Denny and I, and I asked for it off six months ago. The award ceremony is at 9:30, and I have no idea how long it will take. Therefore, I don't know if I will be available for the phone conference. I will do my best.

As always, thank you for your help.

Judy

*For
Bevan
Bozzo*