



0000087400

ORIGINAL

MEMORANDUM

RECEIVED

2008 AUG -6 A 11:57  
AZ CORP COMMISSION  
DOCKET CONTROL

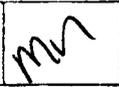
TO: Docket Control Center  
FROM: Ernest G. Johnson  
Director  
Utilities Division

Arizona Corporation Commission

DOCKETED

AUG - 6 2008

DATE: August 06, 2008

DOCKETED BY 

RE: ARIZONA WATER COMPANY - REQUEST FOR EXTENSION OF COMPLIANCE DEADLINE (DOCKET NO. W-01445A-05-0701)

In Decision No. 68919, dated August 29, 2006, the Arizona Corporation Commission ("Commission") approved the application of Arizona Water Company ("Arizona Water" or "Company") for an extension of its Certificate of Convenience and Necessity.

As part of Decision No. 68919, the Commission ordered the following:

- 1) "that Arizona Water Company shall file with Docket Control as a compliance item in the docket, a Notice of Filing indicating it has submitted for Staff's review and approval, a copy of the fully executed main extension agreements for water facilities for the extension area within two years of the decision in this matter."
- 2) "that Arizona Water Company shall file with Docket Control, as a compliance item in the docket, a copy of the Arizona Department of Environmental Quality Certificate of Approval to Construct for facilities needed to serve the extension area within two years of the effective date of this decision."
- 3) "that Arizona Water Company shall file with Docket Control, as a compliance item in the docket, a copy of the developer's Certificate of Assured Water Supply, where applicable or when required by statute within two years of the effective date of this Decision."

Based on the August 29, 2006 date of Decision No. 68919, the due date for the above compliance items is on or about August 29, 2008.

On June 27, 2008, two months prior to the Commission ordered due date, Arizona Water docketed a request for extension of time until August 29, 2010, for provision of the main extension agreements ("MXA"), the Certificate of Approval to Construct ("ATC") and the Certificate of Assured Water Supply ("CAWS").

The attached application included a letter from Ecco Holdings, L.L.C., who is identified as the "owner of the real property located in the extension area". The letter is to Arizona Water and states that the property owner continues in its need for water service from the Company and anticipates beginning development within approximately twenty four (24) months should the condition of the market not deteriorate.

On July 23, 2008, Staff contacted Mr. Robert Geake, Vice President and General Counsel, to discuss the extension requests. Mr. Geake stated that the items ordered by Decision No. 68919 are under the control of the developer rather than the Company and that the market for development is not currently ideal. He further stated that it was a small subdivision area with one property owner ("Ecco Holdings, L.L.C.") that expects to begin development within twenty four (24) months. On August 4, 2008, Staff contacted Mr. Eric E. Capranica, of Ecco Holdings, L.L.C. to inquire about their development plans. Mr. Capranica confirmed that the extension time is necessary because of the slow marketplace generally and also due to Pinal County being backed up in processing approvals for water facilities.

Based on the application and all of the above, Staff does not object to the Company's request for an extension of time until August 29, 2010, to comply with the MXA, ATC, and CAWS requirements outlined in Decision No. 68919. Staff further recommends that no further time extensions be granted in this matter.

EGJ:BKB:lhv

Originator: Brian K. Bozzo

Attachment

SERVICE LIST FOR: ARIZONA WATER COMPANY  
DOCKET NO.: W-01445A-05-0701

Mr. Robert W. Geake  
Arizona Water Company  
Post Office Box 29006  
Phoenix, Arizona 85038

Mr. Ernest G. Johnson  
Director, Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Ms. Janice M. Alward  
Chief Counsel, Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Ms. Lyn Farmer  
Chief Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

90

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

COMMISSIONERS

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

2008 JUN 27 A 10:14  
AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUN 27 2008

DOCKETED BY *mm*

IN THE MATTER OF THE APPLICATION OF  
ARIZONA WATER COMPANY, AN ARIZONA  
CORPORATION, TO EXTEND ITS EXISTING  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY FOR ITS SUPERSTITION SYSTEM,  
PINAL COUNTY, ARIZONA

DOCKET NO. W-01445A-05-0701

REQUEST FOR ADDITIONAL TIME  
TO COMPLY WITH FILING  
REQUIREMENT

On August 29, 2006, the Commission entered Decision No. 68919 in the above-captioned docket. Decision No. 68919 (the "Decision") approved the Company's application for an extension of its certificate of convenience and necessity for its Superstition system. It also contained the following ordering paragraphs, at page 8, lines 1-16 of the Decision:

IT IS FURTHER ORDERED that Arizona Water Company shall file with Docket Control, as a compliance item in this docket, a Notice of Filing indicating that it has submitted for Staff's review and approval, a copy of the fully executed main extension agreements for water facilities for the extension area within two years of the Decision in this matter.

IT IS FURTHER ORDERED that Arizona Water Company shall file with Docket Control, as a compliance item in this docket, a copy of the Arizona Department of Environmental Quality Certificate of Approval to Construct for

1 facilities needed to serve the extension area within two years of the effective date  
2 of this Decision.

3  
4 IT IS FURTHER ORDERED that that Arizona Water Company shall file  
5 with Docket Control, as a compliance item in this docket, a copy of the  
6 developers' Certificate of Assured Water Supply, where applicable or when  
7 required by statute within two years of the effective date of this Decision.

8  
9 The Company is requesting additional time to file the required compliance items in  
10 compliance with the Decision. Specifically, the Company is requesting that the current  
11 compliance deadline, August 29, 2008, be extended for an additional two (2) year period, until  
12 August 29, 2010. In support of its request, the Company is submitting a letter, attached hereto as  
13 Attachment A, from the owner of the real property located in the extension area. As noted in the  
14 letter, the owner still plans to develop its property and still needs and desires to receive water  
15 service from the Company.

16  
17 In view of the foregoing, the Company respectfully requests that it be given an additional  
18 period of time of not less than two years beyond August 29, 2008 to comply with the Decision's  
19 compliance deadlines.

20  
21 ...  
22 ...  
23 ...

24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

RESPECTFULLY SUBMITTED this 27<sup>th</sup> day of June 2008.

ARIZONA WATER COMPANY

By: Robert W. Geake  
Robert W. Geake  
Vice President and General Counsel  
ARIZONA WATER COMPANY  
Post Office Box 29006  
Phoenix, Arizona 85038-9006

Original and thirteen (13) copies of the foregoing filed  
this 27<sup>th</sup> day of June 2008 with:

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

A copy of the foregoing was mailed this 27<sup>th</sup> day of June 2008 to:

Janice Alward, Chief Counsel  
Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Ernest G. Johnson  
Director, Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

By: Robert Geake

ATTACHMENT A

**ECCO HOLDINGS, L.L.C.**  
P.O. Box 12054  
Chandler AZ 85248

June 17, 2008

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

I am following up with you regarding Pinal County Assessor's Parcel No. 104-33-00100 which Ecco Holdings, L.L.C. owns. Ecco Holdings still needs and desires to receive water service from Arizona Water Company to serve this parcel. Our current plans include beginning development within twenty-four months if market conditions do not worsen.

If you have any questions, please feel free to contact us.

Sincerely,



Eric E. Capranica  
Authorized Representative  
Ecco Holdings, L.L.C.