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August 24, 2008

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Docket #W-0<sup>3</sup>514A-07-0386  
Docket #W-03514A-08-0047  
Dwight D. Nodes  
Assistant Chief Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

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AZ CORP COMMISSION  
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Arizona Corporation Commission

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Dear Judge Nodes:

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In regards to the current situation and the above referenced Dockets based on the letter received from the Commission I am in agreement with the purposed plan that Payson Water Company is proposing to improve the well and storage system. I also received the Commission Report in which they are stating that the current water conditions are sufficient for the current water meters that are active. It however, does not address the moratorium situation except to state that if all improvements are done that more water meters could be connected. I believe the Commission should require that the moratorium issue be resolved in this matter and that all existing and future needs be addressed.

In the spirit of cooperation if the Commission will put in writing what the action plan and defined timelines are for the action plan and Payson Water Company will sign off on the plan in writing I would be willing to forego any further action in regards to this Docket.

However, if Payson Water Company is unwilling to perform and do the action plan and timeline as defined in writing then I will pursue this matter further.

As the Commission recommendation states the future needs must be met by improvements and additional storage for those improvements.

I do however, believe that the commission report is confusing. However it is a start. At least the Commission does acknowledge that 50 GPM of which we currently have half is sufficient to perform for all lots in both subdivisions.

If I understand the commissions report adequately then because we have 74 current connections that are active and the stated 24 GPM which we will have by February 2009 if Payson Water Company performs as promised, then that means the additional customers waiting for connections should be able to get those connections.

There is also a lot of if's stated in the Commissions report :

1. If the wells continue to produce the stated GPM nothing below 22 GPM during peak demand. Then existing customers will have water.
2. If Payson Water Company performs as stated and installs both 10000 storage tanks and if the company is able to improve production to 24 GPM. Then some future customers can have water.

In other words I want a defined action plan and defined timeline for the action plan and I want Payson Water to agree and sign off in writing that they will do it. Due to Payson Water Company's past history talk is cheap and I do not believe they will carry through on the stated items unless they are forced to do so in writing with a signature that they agree.

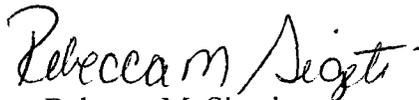
I also received Payson Water Companys response to the Staff Report and it already looks like they are trying to get around continuing the improvements by adding the 2 GPM using the statement "Given the problematic issues surrounding the availability of water in the area, coupled with the Arizona Corporations Commission's regulatory treatment of improvements intended to benefit future customers Payson Water Company asserts that such far reaching policy concerns can be more appropriately addressed in other proceedings. In other words unless they are forced to they will not do the improvements to address future needs.

I do believe this docket was filed to address existing and future needs of the community not just that we have adequate service now we need adequate service in the future as well.

I don't want to continue to waste my time , Payson Water Companys time and the Commissions time, money and efforts on something that can be solved by the Commission making Payson Water Company perform NOW NOT LATER.

Thank in advance for your prompt attention to this matter.

Respectfully,



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