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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

SEP - 3 2008

DOCKETED BY [Signature]

COMMISSIONERS

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

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

DOCKET NO. W-01157A-05-0706

DECISION NO. 70475

ORDER EXTENDING TIME DEADLINE CONTAINED IN DECISION NO. 69672

Open Meeting
August 26 and 27, 2008
Phoenix, Arizona

BY THE COMMISSION:

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On June 28, 2007, the Arizona Corporation Commission ("Commission") issued Decision No. 69672 which approved the application of West End Water Company ("Applicant" or "Company") for an extension of its Certificate of Convenience and Necessity ("Certificate") to provide public water service to a 140 acre parcel contiguous to its certificated service area to be developed as a residential subdivision known as Walden Ranch, which is being developed by Woodside Homes ("Woodside").

2. The Commission's Decision extending the Company's Certificate to provide service to Walden Ranch was conditioned upon the Company filing, by December 31, 2007, with the Commission's Docket Control, as a compliance item in this docket, a copy of the developer's Certificate of Assured Water Supply ("CAWS") be issued by the Arizona Department of Water Resources ("ADWR"), where applicable or when required by statute and a copy of the Maricopa

1 County Environmental Services Department ("MCESD") Approval to Construct ("ATC"). The
2 Company was also ordered to file, within 365 days of the effective date of the Decision, a copy of the
3 fully executed Main Extension Agreement ("MXA") for the water facilities for the extension area.

4 3. On October 19, 2007, the Company filed a request for an extension with respect to the
5 above-referenced conditions under an incorrect docket number, which was subsequently corrected
6 with an amended filing on November 16, 2007, in the correct docket. The Company requested an
7 extension of time in which to file copies of the developer's CAWS and the MCESD ATC until July
8 31, 2008, due to delays in the proceeding caused by intervenor issues and the requirement of a
9 supplemental hearing approximately four months after the initial hearing on the application. As a
10 result, the Company requested that the previously authorized filing dates for the CAWS and the ATC
11 be extended.

12 4. On December 7, 2007, the Commission's Utilities Division ("Staff") filed a
13 memorandum recommending approval of the Company's requested extension of its time to meet the
14 filing dates established by Decision No. 69672 for the filing of copies of the developer's CAWS and
15 the MCESD ATC by July 31, 2008.

16 5. On December 26, 2007, by Procedural Order, the Company was granted an extension
17 of time to July 31, 2008, in which to file copies of the developer's CAWS and the MCESD ATC.

18 6. According to Staff, on June 27, 2008, the Company misfiled a request for an extension
19 of the requirement to file copies of the CAWS and the MXA using an incorrect docket number. On
20 July 15, 2008, the Company withdrew its June 27, 2008, request and filed in this docket a new
21 request for an additional extension of time, until December 31, 2008, to complete the compliance
22 filings ordered in Decision No. 69672 for the CAWS and the ATC. The Company further requested
23 an extension until December 31, 2008, to file a copy of the MXA required by the Decision.

24 7. The Company has advised Staff that delays have been encountered in securing the
25 CAWS because the ADWR has requested an expanded hydrological study. Additionally, the
26 developers involved in the project are negotiating over which entity will pay for which facilities and
27 this is delaying the filing of the MXA which involves a well and storage tank to be transferred to the
28 Company to satisfy the filing of the ATC to be issued by the MCESD.

ORDER

IT IS THEREFORE ORDERED that the West End Water Company shall be granted an extension of time, until December 31, 2008, to file copies of the developer's Certificate of Assured Water Supply to be issued by Arizona Department of Water Resources, the Approval to Construct issued by the Maricopa County Environmental Services Department and the Main Extension Agreement as previously ordered in Decision No. 69672.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

Louise S. Meason _____ *William A. Murrell*
CHAIRMAN COMMISSIONER

Jeffrey McHale-Miller _____ *[Signature]* _____ *[Signature]*
COMMISSIONER COMMISSIONER COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 3rd day of Sept., 2008.

[Signature]
BRIAN C. McNEIL
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

MES:db

1 SERVICE LIST FOR:

WEST END WATER COMPANY

2 DOCKET NO.:

W-01157A-05-0706

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