

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



0000091315

ARIZONA CORPORATION COMMISSION

RECEIVED

2008 NOV 28 P 4:42

November 28, 2008

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

ORIGINAL

Arizona Corporation Commission
DOCKETED

NOV 28 2008

Patrick J. Black
Fennemore Craig
3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012

DOCKETED BY

Handwritten initials, possibly "MM", in a box.

RE: Cross Creek Ranch Community Association ("CCRCA") – Application for An Adjudication Not A Public Service Corporation Docket No. W-20619A-08-0470
INSUFFICIENCY LETTER #2

Dear Mr. Black:

In reference to the above mentioned application filed on September 8, 2008, and the supporting documents filed on October 29, 2008, this letter is to inform you that the application still has not met the criteria as outlined in Decision No. 55568. The deficiencies are:

1. In response to Item No. 1 of the October 7, 2008 Insufficiency Letter, which states "Please provide an executed copy of CCRCA's By-laws which restricts service to a specific area and membership.", the Company provided a copy of its By-Laws. The By-Laws submitted did not state that service is restricted to a specific area nor does it address membership. In order to comply with Decision No. 55568, Criteria Nos. 4 and 5, **please file an Amendment to the By-Laws that addresses Criteria Nos. 4 and 5.** The Company may utilize or mirror the language it currently has in Paragraphs 7 and 8 of it First Amendment to the Declaration.
2. Pursuant to Decision No. 55568, membership has to be restricted to a fixed number of customers actual or potential. In Item No. 2 of the October 7, 2008 Insufficiency Letter, Staff requested that it be directed to where it is stated in the CC&R and/or its amendment that membership is restricted to a "**fixed number of customers actual or potential**". Neither the CC&R nor its First Amendment states that membership is restricted to a fixed number, in this case, 84 customers actual or potential. **Please provide an Amendment to the CC&R that indicates that membership is restricted to the 84 customers actual or potential.**

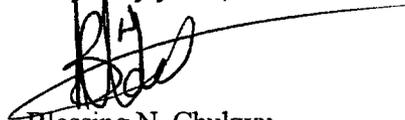
Staff would like to use this opportunity to bring the following to your attention:

- Pursuant to the Arizona Administrative Code ("A.A.C.") R-14-2-411(C), the time-frame for administrative completeness review shall be suspended from the time the notice of deficiency is issued until staff determines that the application is complete. Upon meeting sufficiency requirements, the Commission has 150 calendar days for its substantive review. This includes conducting a hearing and preparing Opinion and Order to present to the Commission at an Open Meeting.

Please file your response to this Insufficiency Letter with Docket Control.

If you have any questions concerning this matter, please do not hesitate to contact me at 602-542-0840 or Del Smith at 602-542-7277.

Very truly yours,

A handwritten signature in black ink, appearing to read 'BNC', with a long horizontal line extending to the right.

Blessing N. Chukwu
Executive Consultant III

BNC

cc: Docket Control
Del Smith
Lyn Farmer
Brian Bozzo
Vicki Wallace