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January 27, 2009



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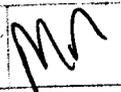
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The Honorable Marc E. Stern
Administrative Law Judge
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007-292

Arizona Corporation Commission

DOCKETED

JAN 28 2009

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Re: Docket No. W-02065A-08-0592

Dear Judge Stern:

The Procedural Order you issued on December 29, 2008 in the above referenced matter set a date for an evidentiary hearing on February 26, 2009. It also ordered Wilhoit Water Company to mail a notice to each customer and to post a notice in a public place on or before January 16, 2009.

Early in January, the Company received a letter from the City of Prescott that the City planned to discontinue supplying water to the Company's Yavapai Mobile Home Estates service area. In response to that letter, the Company planned to withdraw the Emergency Rate Request. In its place, the Company plans to request debt financing and an Arsenic Cost Recovery Mechanism. Due to the changed situation, the Company did not meet the notice requirement of the Procedural Order.

However, when the Company met with Commission Staff last week, Staff requested that we proceed with the Emergency Rate Request to assist the Company in obtaining some reimbursement for monies expended on the purchase of water from the City of Prescott.

Since the Company failed to meet the requirement to mail and post notices contained in your Procedural Order, the Company respectfully requests that you issue a revised Procedural Order with revised dates that will allow the Company's customers and other interested parties by notified with sufficient time to adequately participate in this case. We request that hearing date be set on or before April 1, 2009, with a date for notices on or before February 20, 2009.

Cordially,

Douglas G. Martin