



BEFORE THE ARIZONA CORPORATION C

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COMMISSIONERS

Arizona Corporation Commission

DOCKETED

JAN 20 2009

- KRISTIN K. MAYES, Chairman
- GARY PIERCE
- PAUL NEWMAN
- SANDRA D. KENNEDY
- BOB STUMP

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IN THE MATTER OF THE APPLICATION OF ARIZONA WATER COMPANY, AN ARIZONA CORPORATION, TO EXTEND ITS EXISTING CERTIFICATE OF CONVENIENCE AND NECESSITY AT CASA GRANDE, PINAL COUNTY, ARIZONA.

DOCKET NO. W-01445A-06-0059
 DECISION NO. 70689

**ORDER EXTENDING TIME
 DEADLINE CONTAINED IN
 DECISION NO. 69163**

Open Meeting
 January 13 and 14, 2009
 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 February 1, 2006, Arizona Water Company ("AWC") or "Applicant" filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate" or "CC&N") for its Casa Grande System in Pinal County, Arizona.

2. On December 5, 2006, the Commission issued Decision No. 69163 approving the application of AWC for an extension of its CC&N to include five separate parcels, referred to as Parcels 1, 2, 3, 4, and 5. Decision No. 69163 ordered AWC to file the following compliance items:

1. "...a copy of one Approval to Construct from the Arizona Department of Environmental Quality for the extension facilities within two years of the effective date of this Decision for each of the five parcels approved by this Decision..."
2. "...a copy of one developer's Certificate of Assured Water Supply, where

1 applicable or when required by statute within two years of the effective date of
2 this Decision for each of the five parcels approved by this Decision..."

3 3. On October 8, 2008, AWC filed a Request for Additional Time for Compliance Filing
4 ("Request") seeking an extension of time, until December 5, 2010, to file the required compliance
5 items for Parcels 2, 4 and 5 in the extension area approved in the Decision. AWC has previously
6 filed all of the compliance items for Parcels 1 and 3, in compliance with the Decision, in the
7 following manner:

- 8 • On February 3, 2006, in Docket No. W-01445A-04-0773, AWC filed copies of main
9 extension agreements and Certificates of Approval to Construct for Parcel 1.
- 10 • On December 18, 2006, in Docket No. W-01445A-04-0773, AWC filed the developer's
11 Certificate of Assured Water Supply issued by the Arizona Department of Water
12 Resources for Parcel 1.
- 13 • On February 12, 2007, in Docket No. W-01445A-06-0059, AWC filed copies of a main
14 extension agreement, a Certificate of Approval to Construct, and a Certificate of Assured
15 Water Supply for Parcel 3.

16 4. AWC's Request further states that AWC is currently serving 588 customers in the
17 expansion area granted in the Decision. AWC attached letters from the property owners for Parcels 2
18 and 5 (dated September 2008), expressing a continued desire to have AWC provide water utility
19 service to their properties.

20 5. On October 28, 2008, AWC filed a Supplementation of Compliance Filing, which
21 included a letter from the property owner of Parcel 4, expressing a continue desire to have AWC
22 provide water service to the property.

23 5. On December 5, 2008, by Procedural Order, Staff was directed to file a response to
24 AWC's request for an extension of time to comply.

25 6. On December 12, 2008, Staff filed a memorandum stating Staff does not object to the
26 AWC's request for an extension of time, until December 5, 2010, to comply with the remaining
27 conditions as set forth in Decision No. 69163. According to Staff, the primary reasons for the delay
28 in development of the remaining parcels was due to the downturn in the housing market, and one
property owner was required to start over with the master planning and rezoning process when the
property was annexed by the City of Casa Grande.

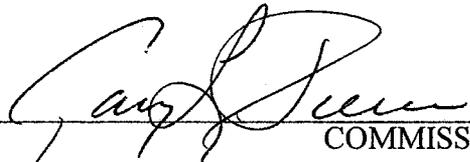
1 requests for extensions of time to comply with Decision No. 69163, shall demonstrate that
2 extraordinary circumstances exist or the request for additional time shall be denied.

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

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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7 CHAIRMAN



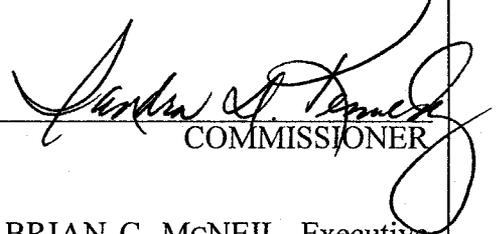
COMMISSIONER

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COMMISSIONER



COMMISSIONER

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12 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
13 Director of the Arizona Corporation Commission, have
14 hereunto set my hand and caused the official seal of the
15 Commission to be affixed at the Capitol, in the City of Phoenix,
16 this 20TH day of Jan., 2009.

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18 
19 BRIAN C. McNEIL
20 EXECUTIVE DIRECTOR

21 DISSENT _____

22 DISSENT _____

23 YBK:db

1 SERVICE LIST FOR: ARIZONA WATER COMPANY

2 DOCKET NO. W-01445A-06-0059

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