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February 6, 2009

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Arizona Corporation Commission
Hearing Division
1200 West Washington Street
Phoenix, AZ 85007
Attention: Dwight D. Nodes
Assistant Chief Administrative Judge

2009 FEB 12 P 4: 13

AZ CORP COMMISSION
DOCKET CONTROL

RE: Docket #W-03514A-07-0386 & Docket #W-03514A-08-0047

Dear Judge Nodes,

As per ordered in Procedural Order Dated 2-3-3009 below is my response as complainant on referenced above dockets.

I am in receipt of two status reports provided via mail from Fennemore & Craig, PC One being dated 1-30-2009 of which statements are made on behalf the company, (Payson Water Department) That all improvements have been made including

- A. Elusive Acres (refurbished)-construction, testing and chlorination- complete.
- B. Install additional 10,000 gallons of storage capacity at Geronimo Estates- complete.
- C. Install second 10,000 gallon storage tank-complete.
- D. Geronimo Estates Well #1 (refurbished)-complete.

Second being dated 2-3-2009 of which statements are made on behalf of the company (Payson Water Department) that the improvement C above has not been completed and company is waiting for ADEQ to grant application & approval to construct the second 10,000 gallon storage tank.

If in fact the company (Payson Water Company) completes the second storage tank of 10,000 gallons then this matter would be resolved to my satisfaction.

However, the Company (Payson Water Company) has still not addressed the following issues of which are part of the docket as I understand it.

- A. The current moratorium and additional meters required by lot owners in Elusive Acres.
- B. Lack of required monitoring devices & shut off valves.
- C. The fact that the two systems are connected Elusive & Geronimo and there is no legal documents proving this could be done in the first place. Geronimo is not part of Elusive Acres and they should not be using the well in Elusive acres to provide water to Geronimo. The Elusive Acres well was designed for use by the lot owners of Elusive Acres This does not include Geronimo Estates use. The Company (Payson Water Company) has yet to provide any legal documents showing they have the authorization to use Elusive Acres Well for Geronimo customers.

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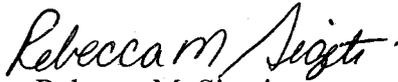
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D. Legal ownership, lack of necessary easements in locations where the Company (Payson Water Company) facilities are located, and the right to trespass on private land by the Company (Payson Water Company) has also not been established.

In closing I agree that Payson Water Company may be making progress, however all points of this complaint have not been resolved and in my opinion the Company (Payson Water Company) needs to address all the issues and resolve them before the complaint is completely resolved to my satisfaction.

Respectfully



Rebecca M. Sigeti

Lot 1, Elusive Acres HomeOwner

Cc:

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