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February 26, 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

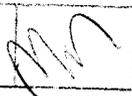
AZ CORP COMMISSION
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Arizona Corporation Commission
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MAR - 2 2009

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

Procedural Order Response

DOCKETED BY 

To All Concerned Parties,

I am in receipt of Payson Water Company status reports. The first having stated some fiction on the status of repair and the second one seems to be the fact of the matter in regards to the repairs and improvements that have been taking place in Geronimo Estates. With that being said I would like to thank your honor and staff for finally moving forward and taking the stand that Payson Water Company needed to fix the system that was inadequate to serve this community.

After five years of countless hours and financial resources, these repairs and improvements are welcomed. With some satisfaction of progress being made at this time I will turn to the three things that still concern me and they are:

1. That the Second 10,000 gallon storage tank is not installed. This is what staff is recommending to add 20,000 gallons. When the second 10,000 gallon tank goes in that would give us 35,000 gallons of storage, which should be able to sustain our two communities on long weekends when peak demand happens.
2. That if new meters are to be issued that they fall under the same 90 day scrutiny to get a bona fied Building Permit that I did. An inactive meter does the Water Company no good and the County or Community no good.
3. In the past in Hearings & Conferences I fully understand the ACC has no say over ownership of Properties. But the ACC does have some say in regulation of Utility Companies. It is sad that due Diligence was not done in 1986 by Payson Water Company or its predecessors, or the Commission and Staff, to make sure that the Water Extension Agreement that was never fulfilled by either party. One would think that when buying a company with moveable cantells & real property that the Company buying the Utility would have done its due diligence to make sure they received Deeds, Titles & PUE's. With that being said I am asking the Commission to have Payson Water Company to simply prove ownership of the Elusive Acres Water System.

If they can not produce Documents, this would show they are running a system which they do not own and should not be falling under the scrutiny of decades of moratoriums opposed on Geronimo Estates.

If these three issues can be addressed and resolved I would withdraw my complaint.

Respectfully


Steve P. Prahin

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