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PUBLIC NOTICE OF HEARING ON THE APPLICATION OF APPALOOSA WATER COMPANY FOR AN INCREASE IN ITS RATES AND AUTHORIZATION FOR FINANCING (Docket Nos. W-03443-A08-0177 and W-03443A-08-0313)

AFFIDAVIT OF PUBLICATION

STATE OF ARIZONA)
County of Yavapai) ss.

I, **Aileen Kemper**, being first duly sworn on her oath says:
That she is the **Classified Coordinator** of **PRESCOTT NEWSPAPERS, INC.**, an Arizona corporation, which owns and publishes the **COURIER**, a Daily Newspaper published in the City of Prescott, County of Yavapai that the notice attached hereto, namely,

PUBLIC NOTICE OF HEARING ON THE APPLICATION OF APPALOOSA WATER COMPANY FOR AN INCREASE IN ITS RATES AND AUTHORIZATION FOR FINANCING (Docket Nos. W-03443-A08-0177 and W-03443A-08-0313)

has, to the personal knowledge of affidavit, been published in the news paper aforesaid, according to law, on 1 day of **JAN, 2009** to 1 day of **JAN, 2009** both inclusive without change, interruption or omission, amounting in all 1 insertions, made on the following dates:
JAN 1, 2009

Arizona Corporation Commission
DOCKETED

MAR - 2 2009

By: _____
Dated this 26 Day of FEB, 2009

DOCKETED BY _____

By: Malia L Miller
Notary Public

My commission expires:



AZ CORP COMMISSION
DOCKET CONTROL

2009 MAR - 2 P 12: 29

RECEIVED

Summary
On March 26, 2008 and June 20, 2008, Appaloosa Water Company, LLC ("Appaloosa") filed with the Arizona Corporation Commission ("Commission") an applications for an increase in its rates for water service and authorization for financing, respectively. In its rate application, Appaloosa is seeking an increase in its rates to generate an additional \$162,489 in annual sales, or approximately a 100% increase over its reported 2007 test year total operating revenues of \$162,489. The rate application states the increase is necessary to cover administrative costs, increased property taxes, and the cost to construct an arsenic treatment system. In its financing, Appaloosa is seeking authorization to finance approximately \$192,000 to construct an arsenic treatment facility.

The Commission's Utilities Division Staff ("Staff") is in the process of auditing and analyzing Appaloosa's records and has not yet made a recommendation regarding the rate or financing applications. The Commission will determine the appropriate relief to be granted based on the evidence presented during the proceeding. The Commission is not bound by the proposals made by Appaloosa, Staff, or any intervenors; therefore, the final rates and amount of financing approved may differ from the rates and amounts requested by Appaloosa in its applications.

How You Can View or Obtain a Copy of the Rate Proposal

Copies of the rate and finance applications are available at Appaloosa's offices, 1460 West Road 4 North, Chino Valley, AZ 86323, and at the Commission's Docket Control Center at 1200 West Washington St, Phoenix, AZ, for public inspection during regular business hours and on the Internet via the Commission's website (www.azcc.gov) using the e-Docket function.

Arizona Corporation Commission Public Hearing Information

The Commission will hold a hearing on this matter beginning **April 21, 2009 at 10:00am**, at the Commission's offices, 1200 West Washington St, Room 100, Phoenix, AZ. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by mailing a letter referencing Docket No. W-03443A-08-0177 et al., to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington St, Phoenix, AZ 85007, or by e-mail. For a form to use and instructions on how to e-mail comments to the Commission, go to <http://www.azcc.gov/divisions/utilities/forms/publiccomments.pdf>. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you desire to intervene, you must file a written motion to intervene with the Commission no later than **January 30, 2009**. You must send a copy of the motion to intervene to Appaloosa or its counsel and to all parties of record. Your motion to intervene must contain the following:

- 1. Your name, address, and telephone number and the name, address, and telephone number of any party upon whom service of documents is to be made, if not yourself;
- 2. A short statement of your interest in the processing (e.g., a customer of Appaloosa, a shareholder of Appaloosa, etc.); and

- 3. A statement certifying that you have mailed a copy of the motion to intervene to Appaloosa or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **January 30, 2009**. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of

a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Linda Hogan, at LHogan@azcc.gov, voice phone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.