

ORIGINAL



0000095354

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

DOCKETED

APR 13 2009

2009 APR 13 P 3:47

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY	<i>MJ</i>
-------------	-----------

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF
WILHOIT WATER COMPANY, INC.,
YAVAPAI MOBILE HOME ESTATES
SYSTEM, FOR RETROACTIVE APPROVAL
OF A FINANCING APPLICATION.

DOCKET NO. W-02065A-07-0308

IN THE MATTER OF THE APPLICATION OF
WILHOIT WATER COMPANY, INC.,
YAVAPAI MOBILE HOME ESTATES
SYSTEM, FOR APPROVAL OF A FINANCING
APPLICATION.

DOCKET NO. W-02065A-07-0309

IN THE MATTER OF THE APPLICATION OF
WILHOIT WATER COMPANY, INC.,
YAVAPAI MOBILE HOME ESTATES
SYSTEM, FOR APPROVAL OF A
PERMANENT RATE INCREASE.

DOCKET NO. W-02065A-07-0311

**MOTION TO CONSOLIDATE AND
REQUEST FOR PROCEDURAL
CONFERENCE**

On October 23, 2007 the following Wilhoit Water Company Inc.'s Yavapai Mobile Home Estates System ("Wilhoit" or "Company") applications were consolidated: W-02065A-07-0308 (application for retroactive financing approval), W-02065A-07-0309 (financing application), and W-02065A-07-0311 (permanent rate increase application). In this consolidated docket the Commission authorized a rate increase for Wilhoit's Yavapai Mobile Homes Estates System.¹ Additionally, the decision authorized the Company to file an Arsenic Cost Recovery Mechanism ("ACRM") in order "to provide for the recovery of arsenic remediation costs[,]" and ordered the docket to "remain open to facilitate the implementation of an ACRM for the [Company]."²

On March 17, 2009, in docket number W-02065A-09-0123, the Company filed a financing application for approval of a \$320,000 loan from WIFA to facilitate the design and construction of a

¹ Decision 70384 at pages 13-15.

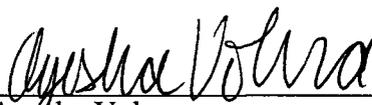
² *Id.* at 16.

1 new arsenic treatment system.³ Simultaneously on March 17, 2009 the Company filed a request
2 pursuant to ARS § 40-252 that the Commission modify Decision No. 70384 to allow for an Arsenic
3 Remediation Surcharge Mechanism (“ARSM”) to pay for the WIFA loan as opposed to the ACRM
4 contemplated by the decision. The Company also noted in its filing that it has applied to the Water
5 Infrastructure Financing Authority (“WIFA”) for (and is on the priority list for) a loan for the
6 installation of an arsenic treatment system. Then, on April 7, 2009, at the Commission Staff Open
7 Meeting, the Commission voted to re-open Decision No. 70384 (from consolidated Docket No. W-
8 02065A-07-0311) for consideration of the Company’s requested modification.

9 Because of the interrelated nature of the financing application in Docket No. W-02065A-09-
10 0123 and the re-opened Decision No. 70384 from consolidated Docket No. W-02065A-07-0311, the
11 Arizona Corporation Commission Utilities Division Staff (“Staff”) believes that the administration of
12 these matters would most efficiently be handled if they were consolidated into a single proceeding.

13 WHEREFORE, Staff respectfully requests that the consolidated Docket W-02065A-07-0311
14 be consolidated with the recent financing application in Docket No. 0265A-09-0123. Staff also
15 respectfully requests a procedural conference be ordered regarding this proposed consolidation.

16 RESPECTFULLY SUBMITTED this 13th day of April, 2009.

17 
18 _____
19 Ayesha Vohra
20 Attorney, Legal Division
21 Arizona Corporation Commission
22 1200 West Washington Street
23 Phoenix, Arizona 85007
24 (602) 542-3402

23 Original and fifteen (15 copies)
24 of the foregoing were filed this
25 13th day of April, 2009 with:

25 Docket Control
26 Arizona Corporation Commission
27 1200 West Washington Street
28 Phoenix, Arizona 85007

³ Financing Application (W-02065A-09-0123)

1 Copy of the foregoing mailed this
13th day of April, 2009 to:

2

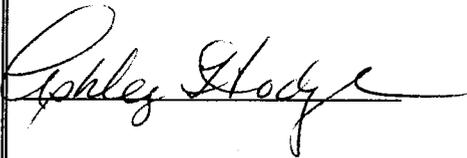
3 Douglas G. Martin
3 MARTIN & BELL, L.L.C.
365 East Coronado Road, Suite 200
4 Phoenix, Arizona 85004

5 Jim West
6 WEST & COMPANY, L.L.C.
365 East Coronado Road, Suite 200
7 Phoenix, Arizona 85004

7

8

9



10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28