

ORIGINAL



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MEMORANDUM

TO: Docket Control

FROM: Ernest G. Johnson  
*fer* Director  
Utilities Division

Date: June 12, 2009

RE: **AMENDED RECOMMENDATIONS FOR THE APPLICATION OF MOHAWK UTILITY COMPANY, INC. FOR AN EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY (DOCKET NO. W-02341A-06-0040)**

Attached are the clarifications adopted at the hearing of Mohawk Utility Company, Inc. on June 9, 2009 to Staff's Amended Staff Report. Staff continues to recommend Mohawk Utility Company be granted an Order Preliminary for the area.

EGJ:KMS:red

Originator: Kiana M. Sears

Attachment: Original and 13 Copies

Arizona Corporation Commission  
**DOCKETED**

JUN 12 2009

DOCKETED BY *MM*

AZ CORP COMMISSION  
DOCKET CONTROL

2009 JUN 12 A 8:46

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Service List for: Mohawk Utility, Inc.  
Docket No. W-02341A-06-0040

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Arizona Corporation Commission  
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**AMENDED RECOMMENDATIONS**  
**FOR THE AMENDED STAFF REPORT**  
**FOR THE APPLICATION OF MOHAWK UTILITY COMPANY, INC. FOR AN**  
**EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY**  
**(DOCKET NO. W-02341A-06-0040)**

**RECOMMENDATIONS**

Based on information presented by Mohawk Utility Company, Inc. at the hearing held on June 9, 2009, Staff's recommendations have been amended to include new details.

1. Staff recommends that Mohawk files with the Commission's Docket Control, as a compliance item in this docket, a copy of the Arizona Department of Environmental Quality's ("ADEQ") Approval of Construction ("AOC") for at least 20,000 gallons of additional storage (for a total of 40,000 gallons) by December 31, 2009.
2. Staff further recommends that Mohawk files with the Commission's Docket Control, as a compliance item in this docket, a copy of the ADEQ's AOC for an additional 20,000 gallons of storage capacity (for a total of 60,000 gallons of storage capacity) by December 31, 2010.
3. Staff further recommends that the Company file with Docket Control, as a compliance item in this docket, a copy of the Arizona Department of Water Resources' ("ADWR") Letter of Adequate Water Supply for each subdivision in the requested areas, when received by the Company, but no later than 30 days after issuance by ADWR.
4. Staff further recommends that the Company file with Docket Control, as a compliance item in this docket, documentation showing that ADWR has determined that Mohawk is in compliance with departmental requirements governing water providers and/or community water systems by December 31, 2009.
5. Staff further recommends that Mohawk charge its customers its current authorized rates and charges in the extension area.
6. Staff requests that the Company files with Docket Control, a statement which communicates the intent of the Company to convey the property and customers to Tacna Water Management Company involved in Decision No. 69208 by October 31, 2009.
7. Staff recommends the Company files documentation demonstrating that the water system is in full compliance with Arizona Department of Environmental Quality requirements and is currently delivering water that meets water quality standards

required by Arizona Administrative Code, Title 18, Chapter 4 by December 31, 2009.

8. Staff further recommends that the Company file with Docket Control, as a compliance item in this docket, a copy of the Approval to Construct issued by ADEQ for water plant facilities needed to serve the requested area by January 1, 2011.
9. Staff further recommends that the Company be granted an Order Preliminary pending completion of Nos. 1, 4, 6, 7, and 8 for the area described in Attachment B. The Company shall be given until December 31, 2011, to demonstrate completion of items 1, 4, 6, 7 and 8 and file a motion in this docket requesting that the Commission grant the CC&N for the area described in Attachment B.
10. Staff further recommends that, within 30 days after Mohawk files its motion and on Staff's verification that the Company has satisfied requirement Nos. 1, 4, 6, 7 and 8 listed above for the area described in Attachment B, Staff shall prepare and docket a Recommended Order granting the CC&N for the area described in Attachment B for Commission approval.
11. Staff further recommends that if Mohawk fails to timely comply with any one of requirements Nos. 1, 4, 6, 7 and 8 listed above pertaining to the area described in Attachment B, the Order Preliminary approved for the area described in Attachment B shall be null and void, and Staff shall file a memorandum to close this docket.