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2009 JUL 17 A 10: 54

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ADMITTED TO PRACTICE IN:  
ARIZONA, COLORADO, MONTANA,  
NEVADA, TEXAS, WYOMING,  
DISTRICT OF COLUMBIA

OF COUNSEL TO  
MUNGER CHADWICK, P.L.L.C.  
ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

July 14, 2009

Arizona Corporation Commission  
DOCKETED

JUL 17 2009

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

DOCKETED BY [Signature]

Re: Diablo Village Water Company and Thim Utility Co.  
Docket Nos. W-02309A-09-0095 and W-03293A-09-0095  
Advance Compliance Condition Filing

To Whom It May Concern:

Enclosed for filing in the above-referenced proceedings are sixteen (16) copies of three (3) Drinking Water Compliance Status Report(s) ("Reports") as issued by the Arizona Department of Environmental Quality ("ADEQ") on July 14, 2009. The public water systems which are the subject of the aforesaid ADEQ Reports are (i) Thim Utility Co.'s E&T system, (ii) Thim Utility Co.'s Lazy B system and (iii) Diablo Village Water Company's system.

In turn, these three (3) water systems are (i) the subject of the March 2, 2009 Joint Application filed in the above-referenced proceedings, which has been scheduled for hearing before Administrative Law Judge Belinda Martin in Tucson on July 30, 2009 at 10:00 a.m.; and, (ii) the subject of a July 8, 2009 Staff Report which was filed in the aforesaid proceedings on July 8, 2009.

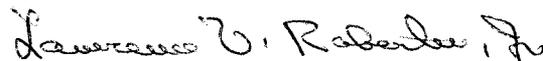
In connection with the aforesaid July 8, 2009 Staff Report, Thim Utility Co. and Diablo Village Water Company believe that the enclosed ADEQ Reports satisfy the first compliance item or condition recommended by the Commission's Staff in connection with its recommended approval of the aforesaid Joint Application. Accordingly, and as may be noted below, copies of this letter and the enclosed ADEQ Reports are contemporaneously being transmitted to Judge

Docket Control  
July 14, 2009  
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Martin and the members of the Commission Staff who have been assigned to the aforesaid proceedings.

Thank you for your assistance. Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Lawrence V. Robertson, Jr.".

Lawrence V. Robertson, Jr.

cc: ALJ Belinda Martin  
Blessing Chukwu  
Dorothy Hains  
Kevin Torrey  
Robin Thim

**Arizona Department of Environmental Quality**  
Drinking Water Monitoring and Protection Unit  
Mail Code 5415B-2  
1110 West Washington Street  
Phoenix, AZ 85007

### Drinking Water Compliance Status Report

<b>System Name</b>	<b>System Type</b>	<b>Is system consecutive?</b>
THIM UTILITIES	<input checked="" type="checkbox"/> Community	<input checked="" type="checkbox"/> Yes, to PWS # 10112 emergency connection
<b>System ID #</b>	<input type="checkbox"/> Non-transient Non-community	
10046	<input type="checkbox"/> Transient Non-community	<input type="checkbox"/> No

<b>Overall compliance status</b>	<input checked="" type="checkbox"/> No major deficiencies	<input type="checkbox"/> Major deficiencies
<b>Monitoring and Reporting status</b>	<input checked="" type="checkbox"/> No major deficiencies	<input type="checkbox"/> Major deficiencies
Comments: None		

<b>Operation and Maintenance status</b>	<input checked="" type="checkbox"/> No major deficiencies	<input type="checkbox"/> Major deficiencies
<b>Date of last Sanitary Survey</b>	4-20-05	<b>Inspector</b> James Jones, PDEQ
Major unresolved/ongoing operation and maintenance deficiencies:		
<input type="checkbox"/> unable to maintain 20psi	<input type="checkbox"/> inadequate storage	
<input type="checkbox"/> cross connection/backflow problems	<input type="checkbox"/> surface water treatment rule	
<input type="checkbox"/> treatment deficiencies	<input type="checkbox"/> ATC/AOC	
<input type="checkbox"/> certified operator	<input type="checkbox"/> other =	
Comments: None		

<b>Is an ADEQ administrative order in effect?</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Comments: None		

System Information			
Population Served	780		
Service Connections	312		
Number of Entry Points to the Distribution System	2		
Number of Sources	2		
Initial Monitoring Year	1993		
Monitoring Assistance Program (MAP) System	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No

<b>Evaluation completed by</b>	Donna Calderon, Manager Drinking Water Monitoring and Protection Unit		
<b>Phone</b>	602-771-4641	<b>Date</b>	July 14, 2009
<input checked="" type="checkbox"/>	Based upon data submitted by the water system, ADEQ has determined that this system is currently delivering water that meets water quality standards required by 40 CFR 141/Arizona Administrative Code, Title 18, Chapter 4, and <b>PWS is in compliance.</b>		
<input type="checkbox"/>	Based upon the monitoring and reporting deficiencies noted above, ADEQ <b>cannot determine</b> if this system is currently delivering water that meets water quality standards required by 40 CFR 141/Arizona Administrative Code, Title 18, Chapter 4, and/or <b>PWS is not in compliance.</b>		
<input type="checkbox"/>	Based upon the operation and maintenance deficiencies noted above, ADEQ <b>cannot determine</b> if this system is currently delivering water that meets water quality standards required by 40 CFR 141/Arizona Administrative Code, Title 18, Chapter 4, and/or <b>PWS is not in compliance.</b>		

***This compliance status report does not guarantee the water quality for this system in the future, and does not reflect the status of any other water system owned by this utility company.***

**Arizona Department of Environmental Quality**  
Drinking Water Monitoring and Protection Unit  
Mail Code 5415B-2  
1110 West Washington Street  
Phoenix, AZ 85007

### Drinking Water Compliance Status Report

<b>System Name</b>	<b>System Type</b>	<b>Is system consecutive?</b>
LAZY B WATER COMPANY	<input checked="" type="checkbox"/> Community	<input type="checkbox"/> Yes, to PWS #
<b>System ID #</b>	<input type="checkbox"/> Non-transient Non-community	
10218	<input type="checkbox"/> Transient Non-community	<input checked="" type="checkbox"/> No

<b>Overall compliance status</b>	<input checked="" type="checkbox"/> No major deficiencies	<input type="checkbox"/> Major deficiencies
<b>Monitoring and Reporting status</b>	<input checked="" type="checkbox"/> No major deficiencies	<input type="checkbox"/> Major deficiencies
Comments: None		

<b>Operation and Maintenance status</b>	<input checked="" type="checkbox"/> No major deficiencies	<input type="checkbox"/> Major deficiencies
<b>Date of last Sanitary Survey</b>	1-14-05	<b>Inspector</b>
		James Jones, PDEQ
Major unresolved/ongoing operation and maintenance deficiencies:		
<input type="checkbox"/> unable to maintain 20psi	<input type="checkbox"/> inadequate storage	
<input type="checkbox"/> cross connection/backflow problems	<input type="checkbox"/> surface water treatment rule	
<input type="checkbox"/> treatment deficiencies	<input type="checkbox"/> ATC/AOC	
<input type="checkbox"/> certified operator	<input type="checkbox"/> other =	
Comments: None		

<b>Is an ADEQ administrative order in effect?</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Comments: None		

System Information			
Population Served	73		
Service Connections	29		
Number of Entry Points to the Distribution System	1		
Number of Sources	1		
Initial Monitoring Year	1994		
Monitoring Assistance Program (MAP) System	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No

<b>Evaluation completed by</b>	Donna Calderon, Manager <i>DC</i> Drinking Water Monitoring and Protection Unit		
<b>Phone</b>	602-771-4641	<b>Date</b>	July 14, 2009
<input checked="" type="checkbox"/>	Based upon data submitted by the water system, ADEQ has determined that this system is currently delivering water that meets water quality standards required by 40 CFR 141/Arizona Administrative Code, Title 18, Chapter 4, and <b>PWS is in compliance.</b>		
<input type="checkbox"/>	Based upon the monitoring and reporting deficiencies noted above, ADEQ cannot determine if this system is currently delivering water that meets water quality standards required by 40 CFR 141/Arizona Administrative Code, Title 18, Chapter 4, and/or <b>PWS is not in compliance.</b>		
<input type="checkbox"/>	Based upon the operation and maintenance deficiencies noted above, ADEQ cannot determine if this system is currently delivering water that meets water quality standards required by 40 CFR 141/Arizona Administrative Code, Title 18, Chapter 4, and/or <b>PWS is not in compliance.</b>		

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Mail Code 5415B-2  
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Phoenix, AZ 85007

### Drinking Water Compliance Status Report

<b>System Name</b>	<b>System Type</b>	<b>Is system consecutive?</b>
DIABLO VILLAGE WATER CO	<input checked="" type="checkbox"/> Community	<input checked="" type="checkbox"/> Yes, to PWS # 10112
<b>System ID #</b>	<input type="checkbox"/> Non-transient Non-community	<input type="checkbox"/> No
10357	<input type="checkbox"/> Transient Non-community	

<b>Overall compliance status</b>	<input checked="" type="checkbox"/> No major deficiencies	<input type="checkbox"/> Major deficiencies
<b>Monitoring and Reporting status</b>	<input checked="" type="checkbox"/> No major deficiencies	<input type="checkbox"/> Major deficiencies
Comments: None		

<b>Operation and Maintenance status</b>	<input checked="" type="checkbox"/> No major deficiencies	<input type="checkbox"/> Major deficiencies
<b>Date of last Sanitary Survey</b>	8-28-06	<b>Inspector</b> James Jones, PDEQ
Major unresolved/ongoing operation and maintenance deficiencies:		
<input type="checkbox"/> unable to maintain 20psi	<input type="checkbox"/> inadequate storage	
<input type="checkbox"/> cross connection/backflow problems	<input type="checkbox"/> surface water treatment rule	
<input type="checkbox"/> treatment deficiencies	<input type="checkbox"/> ATC/AOC	
<input type="checkbox"/> certified operator	<input type="checkbox"/> other =	
Comments: None		

<b>Is an ADEQ administrative order in effect?</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Comments: None		

System Information			
Population Served	2460		
Service Connections	984		
Number of Entry Points to the Distribution System	1		
Number of Sources	1		
Initial Monitoring Year	2004		
Monitoring Assistance Program (MAP) System	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No

<b>Evaluation completed by</b>	Donna Calderon, Manager Drinking Water Monitoring and Protection Unit		
<b>Phone</b>	602-771-4641	<b>Date</b>	July 14, 2009
<input checked="" type="checkbox"/>	Based upon data submitted by the water system, ADEQ has determined that this system is currently delivering water that meets water quality standards required by 40 CFR 141/Arizona Administrative Code, Title 18, Chapter 4, and <b>PWS is in compliance.</b>		
<input type="checkbox"/>	Based upon the monitoring and reporting deficiencies noted above, ADEQ <b>cannot determine</b> if this system is currently delivering water that meets water quality standards required by 40 CFR 141/Arizona Administrative Code, Title 18, Chapter 4, and/or <b>PWS is not in compliance.</b>		
<input type="checkbox"/>	Based upon the operation and maintenance deficiencies noted above, ADEQ <b>cannot determine</b> if this system is currently delivering water that meets water quality standards required by 40 CFR 141/Arizona Administrative Code, Title 18, Chapter 4, and/or <b>PWS is not in compliance.</b>		

***This compliance status report does not guarantee the water quality for this system in the future, and does not reflect the status of any other water system owned by this utility company.***