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BEFORE THE ARIZONA CORPORATION COM

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Commissioners

- 3 KRISTIN K. MAYES, Chairman
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AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

AUG 10 2009

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DOCKET NO. W-02824A-07-0388

10 IN THE MATTER OF THE APPLICATION OF ICR WATER USERS ASSOCIATION, AN  
 11 ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE  
 12 OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND  
 13 CHARGES FOR UTILITY SERVICE.

**NOTICE OF FILING OF  
 REQUEST TO EXTEND DEADLINE FOR  
 COMPLIANCE ITEM IN DECISION # 70977**

14  
 15 ICR Water Users Association, Inc. is hereby requesting an extension of the deadline for  
 16 the transfer of the remaining infrastructure provided by the developer of Talking Rock.  
 17 Decision #70977 calls for ICRWUA "to ensure that ownership of all utility infrastructure  
 18 constructed to serve the TR Ranch and not already transferred to ICRWUA is transferred  
 19 to ICR and that ICR files within 120 days after the effective date of this Decision, as a  
 20 compliance item in this docket, the documentation establishing that such transfer has  
 21 taken place."

22  
 23 To date, ICRWUA has accepted the transfer of over \$6.7 million in infrastructure.  
 24 Approximately \$5.7 million of that has been transferred to ICRWUA via more than 20  
 25 different Bills of Sale since the Public Hearing in December of 2008.

26  
 27 One significant transfer remains. A new pumping/storage facility costing over \$1.1 million  
 28 has yet to be transferred. This pumping station will serve a substantial section of the  
 29 Talking Rock Ranch future development. ICRWUA has observed what appears to be  
 30 abnormal operation of the equipment and is not yet satisfied that the equipment is

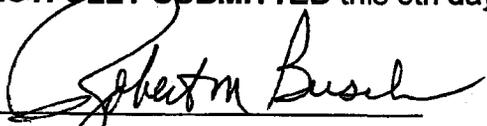
1 functioning as it should. ICRWUA is working with the Talking Rock Parties to perform  
2 appropriate tests to demonstrate its full operational functionality.

3  
4 Developing the testing criteria requires collaboration and agreement of additional parties;  
5 engineers, operator, vendors or manufacturers. ICRWUA and the Talking Rock Parties  
6 have not finalized on the testing criteria and the performance to be demonstrated

7  
8 ICRWUA does not believe it would be in its best interests to transfer the infrastructure  
9 prior to determining that the equipment will perform as the design intended.

10  
11 Due to scheduling conflicts, testing is not possible until late August at the earliest date. In  
12 the event there are any anomalies discovered, ICRWUA is very concerned that it may not  
13 be able to meet the September 5<sup>th</sup> deadline for transfer of this infrastructure. Therefore  
14 ICRWUA is requesting an extension of the deadline to October 27, 2009 for filing  
15 documents establishing that the transfer of all infrastructure has been completed.

16  
17  
18 **RESPECTFULLY SUBMITTED** this 6th day of August, 2009.

19  
20 By: 

21 Robert M. Busch  
22 Manager, ICR Water Users Association  
23 P.O Box 5669  
24 Chino Valley, Az, 86323  
25

26 Original and thirteen (13) copies of the foregoing were mailed this 6th day of August,  
27 2009 to:  
28 Docket Control  
29 Arizona Corporation commission  
30 1200 West Washington Street  
31 Phoenix, Arizona 85007  
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