

Affidavit of Publication

W-02784A-09-0276
W-20082A-09-0276



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Payson Roundup

10040095

9/4/2009

COUNTY OF GILA

RECEIVED

12512

I, Paula VanBuskirk, do solemnly swear that I am Assistant Bookkeeper of the Payson Roundup, that the same is a newspaper printed, in whole or in part, and published in the COUNTY OF GILA, State of Arizona, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said COUNTY OF GILA for a period of more than fifty-two weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Arizona. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said daily newspaper for the period of 1 consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated September 4 A.D., 2009, and that the last publication of said notice was in the issue of said newspaper dated September 04 A.D., 2009. In witness whereof I have hereunto set my hand this September 04 A.D., 2009.

Arizona Corporation Commission
DOCKETED

SEP 11 2009

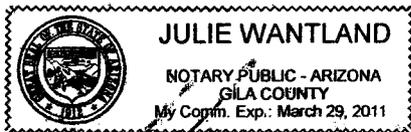
DOCKETED BY [Signature]

[Signature]
Paula VanBuskirk

Subscribed and sworn to before me, a Notary Public in and for the COUNTY OF GILA, State of Arizona September 04 A.D., 2009.

[Signature]
Julie Wantland, Notary Public

My commission expires March 29, 2011.



12512: 09/04/2009
IN THE MATTER OF THE APPLIC-
ATION OF TONTO CREEK
UTILITY CO. FOR APPROVAL OF
THE SALE OF ITS ASSETS AND
TRANSFER OF ITS CERTIFI-
CATE OF CONVENIENCE AND
NECESSITY TO TONTO CREEK
WATER COMPANY LLC Docket
No. W-02784A-09-0276 et al.)
Summary On June 2, 2009, Tonto
Creek Utility Co. ("TCUC") filed
with the Arizona Corporation Com-
mission ("Commission") an appli-
cation for approval of the sale of its
assets and the transfer of its Certi-
ficate of Convenience and Neces-
sity ("CC&N") to Tonto Creek
Water Company LLC ("TCWC").
Per the application, TCUC and
TCWC entered into an agreement
on June 1, 2009, under which
TCUC will transfer all of its assets
to TCWC in return for \$15,000.
The agreement states that there is
a separate agreement for the
transfer of ownership of Lot 23 in
Tonto Creek Estates. The agree-
ment states that, at closing on the
transaction, TCUC will pay all main
extension agreement refunds due
and all meter and service line in-
stallation charge refunds due.
TCUC has asserted that TCWC
will charge customers the same
rates and charges currently as-
sessed by TCUC; that the current
Certified Operator will continue to
operate the system, and that
TCWC currently plans no changes
to the operation and maintenance
of the system. The Commission's
Utilities Division Staff ("Staff") is in
the process of analyzing the appli-
cation and has not yet made any
recommendations in this matter.
The Commission is not bound by
the proposals made by TCUC,
TCWC, Staff, or any intervenors.
The Commission will determine
whether to approve the sale of as-
sets and CC&N transfer based on
the evidence received through an
evidentiary hearing in this matter.
If You Are a TCUC Customer If
the sale of assets and CC&N transfer
are approved, TCWC will be the
exclusive provider of water utility
service to your area. TCWC is un-
der the jurisdiction of the Commis-
sion. TCWC's address is 4486
East Ford Avenue, Gilbert, AZ
85234. Phone: 478-664-220. If
you have a claim against TCUC
such as a claim for refund of a se-
curity deposit or service line and
meter installation charges or for re-
fund on a main extension agree-
ment, and you have not been con-
tacted by TCUC regarding your
claim, you must present your claim
to TCUC by October 15, 2009. Di-
rect your claim to TCUC at HC 2
Box 94G, Payson, AZ 85541.
Phone: 928-478-4384.

How You Can View or Obtain a Copy of the Application and Other Documents

Copies of the application and the other documents filed in this matter are available at TCUC's offices 227 North Tonto Rim Ranch Road, Payson, Arizona 85541; at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona, 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 hear-