

ORIGINAL

OPEN MEETING



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MEMORANDUM
RECEIVED

TO: THE COMMISSION

2010 FEB 10 P 3: 39

FROM: Utilities Division

AZ CORP COMMISSION
DOCKET CONTROL

DATE: February 10, 2010

RE: IN THE MATTER OF THE APPLICATION OF CROSS CREEK RANCH COMMUNITY ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION, FOR AN ADJUDICATION OF "NOT A PUBLIC SERVICE CORPORATION" STATUS (DOCKET NO. W-20619A-08-0470)

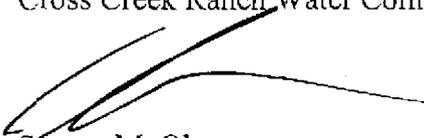
IN THE MATTER OF CROSS CREEK RANCH WATER COMPANY'S APPLICATION FOR APPROVAL OF ASSIGNMENT OF ASSETS VIA DISSOLUTION TO THE CROSS CREEK RANCH COMMUNITY ASSOCIATION, PURSUANT TO ARIZONA REVISED STATUTES 40-285, AND DELETION OF THE CERTIFICATE OF CONVENIENCE AND NECESSITY. (DOCKET NOS. W-04131A-08-0471 AND W-20619A-08-0471)

On September 8, 2008, Cross Creek Ranch Community Association ("Association") filed with the Arizona Corporation Commission ("Commission") an application for Adjudication Not a Public Service Corporation.

On September 8, 2008, Cross Creek Ranch Water Company ("Water Company") filed an application requesting approval to transfer its water utility assets to its sole shareholder, the Association, and to cancel its Certificate of Convenience and Necessity ("CC&N").

On June 5, 2009, the Commission issued Decision No. 71103 which granted the Association adjudication not a public service corporation subject to the filing of certain compliance items. The Decision also granted the application of the Water Company to transfer its assets to the Association subject to the filing of certain compliance items.

On January 13, 2010, the Water Company filed a Motion for Cancellation of the CC&N and requested the Commission to cancel its CC&N. Staff has received and reviewed all of the required compliance filings ordered by Decision No. 71103 and recommends that the CC&N for Cross Creek Ranch Water Company be cancelled.


Steven M. Olea
Director
Utilities Division

SMO:KDB:lhmlWVC

Arizona Corporation Commission
DOCKETED

FEB 10 2010

DOCKETED BY 

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 KRISTIN K. MAYES
Chairman

3 GARY PIERCE
Commissioner

4 PAUL NEWMAN
Commissioner

5 SANDRA D. KENNEDY
Commissioner

6 BOB STUMP
Commissioner

7
8 IN THE MATTER OF THE APPLICATION)
OF CROSS CREEK RANCH COMMUNITY)
9 ASSOCIATION, AN ARIZONA NON-)
PROFIT CORPORATION, FOR AN)
10 ADJUDICATION OF "NOT A PUBLIC)
SERVICE CORPORATION" STATUS)
11

DOCKET NO. W-20619A-08-0470

12 IN THE MATTER OF CROSS CREEK)
RANCH WATER COMPANY'S)
13 APPLICATION FOR APPROVAL OF)
ASSIGNMENT OF ASSETS VIA)
14 DISSOLUTION TO THE CROSS CREEK)
RANCH COMMUNITY ASSOCIATION,)
15 PURSUANT TO ARIZONA REVISED)
STATUTES 40-285, AND DELETION OF)
16 THE CERTIFICATE OF CONVENIENCE)
AND NECESSITY)
17

DOCKET NOS.: W-04131A-08-0471
W-20619A-08-0471

DECISION NO. _____

FINAL ORDER

18
19 Open Meeting
March 2 and 3, 2010
20 Phoenix, Arizona

21 BY THE COMMISSION:

22 Having considered the entire record herein and being fully advised in the premises, the
23 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

24 **FINDINGS OF FACT**

25 1. On September 8, 2008, Cross Creek Ranch Community Association
26 ("Association") filed with the Arizona Corporation Commission ("Commission") an application
27 for Adjudication Not a Public Service Corporation.
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ORDER

IT IS THEREFORE ORDERED that the Certificate of Convenience and Necessity granted to Cross Creek Ranch Water Company in Decision No. 65978 is hereby cancelled.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this ____ day of _____, 2010.

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

SMO:KDB:lh\WVC

1 SERVICE LIST FOR: CROSS CREEK RANCH COMMUNITY ASSOCIATION AND
2 DOCKET NOS.: CROSS CREEK RANCH WATER COMPANY
3 W-20619A-08-0470, W-04131A-08-0471 AND
4 W-020619A-08-0471

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7 Fennemore Craig, PC
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10 Attorneys for Cross Creek Ranch Water Company, Inc.
11 and Cross Creek Ranch Community Association

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13 Director, Utilities Division
14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17 Ms. Janice M. Alward
18 Chief, Legal Division
19 Arizona Corporation Commission
20 1200 West Washington Street
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