



ORIGINAL

Antelope Lakes Development, Inc.

RECEIVED

P.O. Box 450
Chino Valley, Arizona 86323
520-636-0420
Fax: 520 636-0684

2000 MAY 30 P 12: 10

Arizona Corporation Commission
DOCKETED

MAY 30 2000

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY
JM

May 22, 2000

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007-2996

Re: Docket Number W-⁰²⁷⁴⁶~~027410~~A-99-0668

TO WHOM IT MAY CONCERN:

Please find attached the following information pursuant to the above application which was filed October 11, 1999 regarding an extension to its CC&N.

10 copies and original of the following:

Water Franchise
Affidavit of Mailing

Regarding the Affidavit of Mailing, please note all mailings were mailed before the name, Wineglass Lake Water Co., Inc., was substituted for that of Antelope Lakes Water Co., Inc.. In Dewey J. Levie's discussion with Pat Williams, Pat Williams said that we could submit the Affidavit of Mailing as is.

Also pursuant to letter from Deborah R. Scott, Director, Utilities Division, dated May 18, 2000, please keep our application open we are trying to get APS (electric) to the area so that a well can be drilled.

Please also let us know of any other information that may be required by the Utilities Division in regards to this Docket.

Sincerely,

Antelope Lakes Water Co., Inc.
By Jeanette Myrick
for Dewey J. Levie, President

enc. Letter from Deborah R. Scott, Director Utilities Division 5/18/2000

cc: Ms. Deborah R. Scott, Director Utilities Division Letter Only
Mr. Mark DiNunzio Re: CC&N's Letter Only

CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER



BRIAN C. McNEIL
EXECUTIVE SECRETARY

ARIZONA CORPORATION COMMISSION

RECEIVED

2000 MAY 18 P 12:41

May 18, 2000

AZ CORP COMMISSION
DOCUMENT CONTROL

Mr. Dewey J. Levie
Antelope Lakes Water Company, Inc.
P.O. Box 450
501 North Highway 89
Chino Valley, AZ 86323

RECEIVED MAY 18 2000

RE: W-02740A-99-0668

Dear Mr. Levie:

I have recently assigned Mark DiNunzio the responsibility for processing water and wastewater Certificates of Convenience and Necessity (CC&N's). In his review of all pending applications, it appears Antelope Lakes Water Company, Inc has an open docket that was filed October 11, 1999 regarding an extension to its CC&N.

In order to continue processing pending applications, I am requesting companies to update their applications and have them filed with Docket Control within 30 days from the date of this letter. Applications not updated within the 30-day timeframe will be administratively closed.

Should you have any questions, feel free to contact Mr. DiNunzio at 602-542-6935.

Sincerely,


Deborah R. Scott
Director
Utilities Division

COVER SHEET

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL CENTER

CASE/COMPANY NAME:

DOCKET NO. W-02740-A-99-0668

Antelope Lakes Water Co, Inc.
P.O. Box 450, Chino Valley, Az 86323

D/B/A: _____

NATURE OF ACTION OR DESCRIPTION OF DOCUMENT Please mark the item that describes the nature of the case/filing:

01 NEW APPLICATIONS

- | | | | |
|-------------------------------------|----------------------------------|--------------------------|---|
| <input type="checkbox"/> | NEW CC&N | <input type="checkbox"/> | MAIN EXTENSION |
| <input type="checkbox"/> | RATES | <input type="checkbox"/> | CONTRACT/AGREEMENTS |
| <input type="checkbox"/> | INTERIM RATES | <input type="checkbox"/> | COMPLAINT (Formal) |
| <input type="checkbox"/> | CANCELOATION OF CC&N | <input type="checkbox"/> | RULE VARIANCE/WAIVER REQUEST |
| <input type="checkbox"/> | DELETION OF CC&N TERRITORY | <input type="checkbox"/> | SITING COMMITTEE CASE |
| <input checked="" type="checkbox"/> | EXTENTION OF CC&N (TERRITORY) | <input type="checkbox"/> | SMALL WATER COMPANY -SURCHARGE (Senate Bill 1252) |
| <input type="checkbox"/> | TARIFF - NEW (NEXT OPEN MEETING) | <input type="checkbox"/> | NOTICE OF OPPORTUNITY |
| <input type="checkbox"/> | REQUEST FOR ARBITRATION | <input type="checkbox"/> | SALE OF ASSETS & TRANSFER OF OWNERSHIP |
| <input type="checkbox"/> | (Telecommunication Act) | <input type="checkbox"/> | SALE OF ASSETS & CANCELLATION OF CC&N |
| <input type="checkbox"/> | FULLY OR PARTIALLY | <input type="checkbox"/> | FUEL ADJUSTER/PGA |
| <input type="checkbox"/> | ARBITRATED INTERCONNECTION | <input type="checkbox"/> | MERGER |
| <input type="checkbox"/> | AGREEMENT (Telecom. Act) | <input type="checkbox"/> | FINANCING |
| <input type="checkbox"/> | VOLUNTARY INTERCONNECTION | <input type="checkbox"/> | |
| <input type="checkbox"/> | AGREEMENT (Telecom. Act) | <input type="checkbox"/> | MISCELLANEOUS |
| | | | Specify _____ |

02 REVISIONS/AMENDMENTS TO
PENDING OR APPROVED MATTERS

- | | | | |
|--------------------------|------------------|--------------------------|--------------------|
| <input type="checkbox"/> | APPLICATION | <input type="checkbox"/> | TARIFF |
| <input type="checkbox"/> | COMPANY _____ | <input type="checkbox"/> | PROMOTIONAL |
| <input type="checkbox"/> | DOCKET NO. _____ | <input type="checkbox"/> | DECISION NO. _____ |
| | | <input type="checkbox"/> | DOCKET NO. _____ |
| | | <input type="checkbox"/> | COMPLIANCE |
| | | <input type="checkbox"/> | DECISION NO. _____ |
| | | <input type="checkbox"/> | DOCKET NO. _____ |

MISCELLANEOUS FILINGS

- | | | | | | |
|--------------------------|----|------------------------------|-------------------------------------|----|--|
| <input type="checkbox"/> | 04 | AFFIDAVIT | <input type="checkbox"/> | 29 | STIPULATION |
| <input type="checkbox"/> | 12 | EXCEPTION | <input type="checkbox"/> | 38 | NOTICE OF INTENT |
| <input type="checkbox"/> | 18 | REQUEST FOR INTERVENTION | | | (Only notification of future action/no action necessary) |
| <input type="checkbox"/> | 48 | REQUEST FOR HEARING | <input type="checkbox"/> | 43 | PETITION |
| <input type="checkbox"/> | 24 | OPPOSITION | <input type="checkbox"/> | 46 | NOTICE OF LIMITED APPEARANCE |
| <input type="checkbox"/> | 50 | COMPLIANCE ITEM FOR APPROVAL | <input checked="" type="checkbox"/> | 39 | OTHER |
| | | | | | Specify <u>Follow-up information</u> |
| | | | | | <u>TO ATTACH TO APPLICATION</u> |

Jeanette Myrick for
Print Name of Applicant/Company/contact person
Dewey G. Levee, President

PLEASE SEE NOTICE ON REVERSE SIDE

Public Works
Folder

3221157 BK 3724 PG 94
Yavapai County
Patsy Jenney-Colon, Recorder
01/10/2000 03:46P PAGE 1 OF 5
YAVAPAI CO PUBLIC WORKS
RECORDING FEE 0.00
SURCHARGE 0.00
POSTAGE 0.00

BEFORE THE BOARD OF SUPERVISORS
OF

YAVAPAI COUNTY, ARIZONA

In the Matter of the Application of)
)
Antelope Lakes Water Company, Inc.) WATER FRANCHISE
)
for a water franchise)

WHEREAS, Antelope Lakes Water Company, Inc. filed its application pursuant to A.R.S. §40-283, for a water franchise to construct and/or maintain and operate water lines for a period of fifteen (15) years, along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State Highways) within that portion of Yavapai County, Arizona, described as follows:

EXHIBIT A

Antelope Lakes Water Company, Inc.

The following service area located within the Gila and Salt River Base and Meridian, Yavapai County, Arizona:

Section 13, Township 18 North, Range 3 West; Section 27, Township 18 North, Range 2 West; Section 31, Township 18 North, Range 2 West; Section 33, Township 18 North, Range 2 West.

and that said subdivision is contiguous to a portion of the area described in Exhibit A above which area is not within the limits of any incorporated city or town, and,

WHEREAS, this is the time and place set for hearing of said application and due and regular notice was given by publication of notice once a week for three consecutive weeks prior to this time of hearing and proof of publication has been filed herein, and

WHEREAS, all protests to granting such application have been considered, the Board of Supervisors of Yavapai County, Arizona, hereby grants to the Antelope Lakes Water Company, Inc. the right, privilege, license and franchise to construct, maintain and operate water delivery systems for a period of fifteen (15)

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Antelope Lakes Water Company, Inc.
Water Franchise Agreement

years from the date hereof, along, upon, under and across the public highways of Yavapai County, Arizona, within the above described area of Yavapai County, which area is not within the limits of any incorporated city or town, upon the following terms and conditions:

RESTRICTIONS AND LIMITATIONS

1. All rights and privileges hereunder are granted under the express condition that the Board of Supervisors shall have the power at any time to impose such additional and further restrictions and limitations and to make such regulations on such highways, roads, thoroughfares, alleys, and public ways as may be deemed best for the public safety, welfare and convenience. No construction of improvements within a County road right-of-way shall be made without a permit from the Yavapai County Engineer first being obtained.

2. Grantor will notify Grantee if Grantor determines that any lines are located at a depth which interferes with road maintenance. Any such lines shall be buried at a sufficient depth upon receipt of notice. In the event that water lines must be relocated due to road construction or because of inadequate depth, the Grantee shall bear the cost of such relocation.

3. All rights and privileges hereunder shall be exercised so as to not interfere or conflict with any easements or rights-of-way heretofore granted by said Board of Supervisors and now in force.

4. All equipment and facilities constructed, installed, erected, used and maintained under this franchise shall in all respects be adequate, sufficient and substantial in design and workmanship and shall be so located, erected and maintained so as not to interfere with the full and free use and enjoyment of the public and so not to endanger life or property.

5. All rights and privileges hereunder shall be exercised so as not to interfere or conflict with any easement, either public or private, of whatsoever nature, which has been acquired in or to the proper use of said highways, roads, thoroughfares, alleys and public ways, or any portion thereof.

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Antelope Lakes Water Company, Inc.
Water Franchise Agreement

6. Grantee shall bear all expenses, including damages and compensation to any aggrieved third parties, incurred or expended for the alteration of the course, direction, surface, grade or alignment of any of the said highways, roads, thoroughfares, alleys, and public ways necessarily made by or for Grantee for the purpose of exercising any right under this franchise, and said Grantee shall indemnify and hold harmless the County of Yavapai and the Board of Supervisors thereof from any and all suits, claims, damages and judgments resulting from injuries to persons or property due to the placing, location and maintenance of equipment and facilities upon, in or under the provisions hereof. Grantee shall maintain its equipment and facilities at its own cost and expense and will make all necessary repairs from time to time as the same may be needed without the necessity of notice from Yavapai County.

7. The Grantee shall be required to secure and maintain in force for the duration of the franchise general comprehensive liability insurance insuring against all damages charged to the County or the Grantee resulting from the installation, development, maintenance or expansion of the Grantee's system, as follows:

(a) Five Hundred Thousand Dollars (\$500,000) for bodily injury or death to any one person with an aggregate limit for any one occurrence of One Million Dollars (\$1,000,000) for bodily injury or death.

(b) Two Hundred Fifty Thousand Dollars (\$250,000) for property damage resulting from any one accident.

(c) Fifty Thousand Dollars (\$50,000) for all other types of liability.

Yavapai County, Arizona, shall be named on the aforesaid policy as a coinsured, or added thereon by endorsement as a named insured. A certificate of insurance as well as a copy of the policy shall be filed with the Public Works Director. The certificate shall provide that if the policy shall be cancelled by the insurance company or the Grantee during the term of the policy, ten (10) days written notice prior to the effective date of such cancellation shall be given the Public Works Director of Yavapai County, Arizona.

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Antelope Lakes Water Company, Inc.
Water Franchise Agreement

8. This franchise shall not be deemed to be exclusive and the Board of Supervisors hereby expressly reserves the right and power from time to time to grant similar franchises and privileges over the same territory and highways, roads, thoroughfares, alleys, and public ways.

9. Grantee certifies that all water and sewer operations shall be supervised by a duly authorized local operator, whose name, address, and phone number shall be kept in the records of the Public Works Director. Grantee shall notify the Public Works Director of any operator changes.

10. Grantee shall notify the Public Works Director of any assignment of this franchise, including assignee's name, address and phone number.

11. Grantee shall apply for renewal of this franchise not less than sixty (60) days prior to its expiration. In the event required notice, public hearings and official action cannot be taken prior to expiration due to no fault of Grantee, this franchise shall continue until final action by Grantor has been taken.

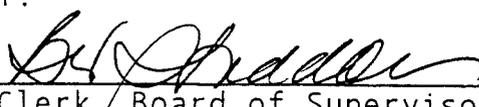
12. This franchise is granted upon the express condition subsequent that a Certificate of Convenience and Necessity be procured from the Arizona Corporation Commission within six months from the date of granting of this franchise; and if such Certificate is not granted within six months from said date, then this franchise to be void, otherwise to be in full force and effect for the time herein specified.

Dated: January 3, 2000

ATTEST:



Chairman, Board of Supervisors



Clerk, Board of Supervisors

SEAL

BEFORE THE ARIZONA CORPORATION COMMISSION

amended Antelope

IN THE MATTER OF THE)
APPLICATION OF ~~WINEGLASS LAKES~~) DOCKET NO. *W-02740A-99-0668*
WATER CO., INC. FOR APPLICATION)
FOR CERTIFICATE OF CONVENIENCE) AFFIDAVIT OF MAILING
AND NECESSITY)
_____)

STATE OF ARIZONA)
) ss.
County of Yavapai)

DEWEY J. LEVIE, having been first duly sworn, upon his oath deposes and says:

1. That on 29th day of October, 1999, Public Notice of an Application for a Certificate of Convenience and Necessity of Wineglass Water Co., Inc., was mailed by United States Mail to all lot owners in the existing certificated area. The Notice and names and addresses of those to whom the Notice was sent are attached as Exhibit "A".

Dated this 29th of October, 1999.

WINEGLASS WATER CO., INC..
an Arizona corporation

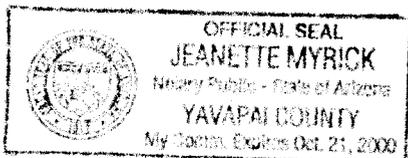
Dewey J. Levie, President

STATE OF ARIZONA)
) ss.
County of Yavapai)

SUBSCRIBED AND SWORN to before me this 29th day of October, 1999, BY DEWEY J. LEVIE, President of Wineglass Water Co., Inc.

Jeanette Myrick
Notary Public

My Commission Expires:



PUBLIC NOTICE OF AN APPLICATION FOR A
CERTIFICATE OF CONVENIENCE AND NECESSITY
OF WINEGLASS WATER CO., INC.

Wineglass Water Co., Inc., has filed with the Arizona Corporation Commission ("Commission") an application for authority to provide domestic water service to an area in which records indicate that you are a property owner. If the application is granted, Wineglass Water Co., Inc., would be the exclusive provider of domestic water service to the proposed area. Wineglass Water Co., Inc., will be required by the Commission to provide this service under the rates and charges and terms and conditions established by the Commission. The granting of the application would not necessarily prohibit an individual from providing service to themselves from individually owned facilities on their property. The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street/Tucson at 400 West Congress, North Building, Room 218 and at Wineglass Water Co., Inc., 501 North Highway 89, Chino Valley, Az 86323.

The Commission will hold a hearing on this matter. As a property owner you may have the right to intervene in the proceeding. If you do not want to intervene, you may appear at the hearing and make a statement on your own behalf. You may contact the Commission at the address and telephone number listed below for the date and time of the hearing and for more information on intervention. You may not receive any further notice of the proceeding unless requested by you .

If you have any questions or concerns about this application, have any objections to its approval, or wish to make a statement in support of it, you may write the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000/400 West Congress, North Building, Room 218, Tucson, Arizona 85701 or call 1-800-535-0148.

PUBLIC NOTICE OF AN APPLICATION FOR A CERTIFICATE OF CONVENIENCE AND
NECESSITY OF WINEGLASS WATER CO., INC.

MAILINGS TO:

Mr. Steve Pentoney
Sero Development Corporation
1615 Cordova Street
Los Angeles, California 9007-1197

Rockee Top, Inc.
17045 El Camino Road
Suite 225
Houston, Texas 77058

Benson Family Trust
748 S. Lakeview
Prescott, Az 86301

Payette Heights Corp.
P.O. Box 450
Chino Valley, Az 86323

Paul D. Levie, Beneficiary of
Trust 4252, Antelope Lakes Development Corp.
P.O. Box 450
Chino Valley, Az 86323

Donald & Nola Nielsen
419 E. 9th Street
Fremont, NE 68025

Jesus Alexander Acosta
1123 North 28th Street
Phoenix, AZ 85008

Arthur Thomas McGuire
P.O. Box 3012
Chino Valley, Az 86323

Kenneth E. Brown
P.O. Box 390
Paulden, Az 86334

PUBLIC NOTICE OF AN APPLICATION FOR A CERTIFICATE OF CONVENIENCE AND
NECESSITY OF WINEGLASS WATER CO., INC.

Ralph Edward Clow
19837 N. 33rd Avenue
Phoenix, Az 85027

Kenneth R. & Carrie Everett
P.O. Box 394
Paulden, Az 86334

Mark Allen and Mary Leborgne
8542 W. Highland Avenue
Phoenix, Az 85037

Jim m. Mansell
4030 Harper
Prescott, Az 86305

James & Mary Sisler
P.O. Box 546
Gaitherburg, MD 20884

Joseph & Joan Watkins
11546 Monroe Way
Thornton CO 80233

Dalton Owens
P.O. Box 41
Paulden, Az 86334

Alan & Ann Brownlee
7085 Coyote Springs
Prescott Valley, Az 86314

David H. & Coella J. Drenske
P.O. Box 731
Grand Canyon, AZ 86023

PUBLIC NOTICE OF AN APPLICATION FOR A CERTIFICATE OF CONVENIENCE AND
NECESSITY OF WINEGLASS WATER CO., INC.

Gary L. & Jean E. Gargis
8919 Jamie Drive
Prescott, Valley, Az 86314

Rita M. and Leigh Norris
24335 Feather Mtn Road
Paulden, Az 86334