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ATTACHMENT "A"

W 02784A-09-0276
W-20682A-09-0276

ORIGINAL

HC 2 Box 94 G
Payson, Arizona 85541
928-478-4384

Tonto Creek Utility

RECEIVED

2009 NOV 16 P 2:24

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

November 11, 2009

Docket Control
Arizona Corporation Commission
1200 W Washington St
Phoenix, Arizona 85007

Attached is an amended application by Tonto Creek Utility for Approval of the Sale of Assets AND Transfer of Certificate of Convenience and Necessity.

This amended application is provided at the request of Arizona Corporation Commission staff.

Pam Fisher
Pam Fisher

Secretary/Treasurer

Arizona Corporation Commission
DOCKETED

NOV 16 2009

DOCKETED BY *AMW*

W-02 784A-09-0276
W-20682A-09-0276

AMENDED

<p>ARIZONA CORPORATION COMMISSION</p> <p>APPLICATION FOR APPROVAL OF THE SALE OF ASSETS AND/OR TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY</p> <p><u>WATER AND/OR SEWER</u></p>

A. The name, address and telephone number of the Transferor (Company) is:

TONTO CREEK UTILITY Co. 928-478-4384

HC2 Box 94G

RAYSON AZ 85541

B. If doing business under a name other than the Transferor (Company) name, specify:

N/A

C. The Transferor is a:

<input type="checkbox"/> Corporation: <input checked="" type="checkbox"/> "C", <input type="checkbox"/> "S", <input type="checkbox"/> Non-Profit <input type="checkbox"/> Arizona, <input type="checkbox"/> Foreign	<input type="checkbox"/> Partnership <input type="checkbox"/> Limited, <input type="checkbox"/> General <input type="checkbox"/> Arizona, <input type="checkbox"/> Foreign
<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Limited Liability Company
<input type="checkbox"/> Other (Specify)	

D. List the name, address and telephone number of the attorney for the Transferor.

N/A

E. List the name, address and telephone number of management contact:

JERRY FISHER

928-478-4384

HC 2 BOX 94G

PAYSON, AZ 85341

F. The name, address and telephone number of the Transferee (Company) is:

TONTO CREEK WATER CO. LLC

4486 E. FORD AVE GILBERT AZ 85234

480-664-0220

G. If doing business under a name other than the Transferee (Company) name, specify:

N/A

H. List the name, address and telephone number of the attorney for the Transferee.

N/A

I. List the name, address and telephone number of management contact:

JULIE A. REA

4486 E. FORD AVE GILBERT, AZ 85234

480-664-0220

J. (Transferee) List the name, address and telephone number of the on-site manager of the utility:

JERRY FISHER

HC2 BOX 94

928-478-4384

PAYSON, AZ 85341

K.(Transferee) List the name, address and telephone number of the certified operator as authorized by the Arizona Department of Environmental Quality:

JERRY FISHER

928-478-4384

HC2 BOX 94

PAYSON, AZ 85341

L. The Transferee is a:

<input type="checkbox"/> Corporation: <input type="checkbox"/> "C", <input type="checkbox"/> "S", <input type="checkbox"/> Non-Profit <input type="checkbox"/> Arizona, <input type="checkbox"/> Foreign	<input type="checkbox"/> Partnership <input type="checkbox"/> Limited, <input type="checkbox"/> General <input type="checkbox"/> Arizona, <input type="checkbox"/> Foreign
<input type="checkbox"/> Sole Proprietorship	<input checked="" type="checkbox"/> Limited Liability Company
<input type="checkbox"/> Other (Specify)	

M. If Transferee is a corporation:

1. List names of Officers and Directors:

Officers

Directors

2. Indicate the number of shares of stock authorized to issue:

3. If stock has been issued, indicate the number of shares issued and the date of issue:

N. If Transferee is a partnership:

1. List the names of general partners:

JULIE A. REA _____
JAMES C. REA _____

2. List name, address and telephone number of managing partner:

JULIE A. REA _____
4486 E. FORD AVE 480-664-0720 _____
GILBERT, AZ 85234 _____

◆ If Applicant is a foreign limited partnership, provide a copy of the Partnership's "Certificate of Registration" with the Arizona Secretary of State

O. If Transferee is a sole proprietor, list name, address and telephone number of individual:

P. Have all customer security deposits been refunded? Yes ___ No ___. If no, mark the block below which describes the proposed disposition of security deposits.

___ All security deposits will be refunded at time of closing.

___ All security deposits will be transferred to the Transferee.

Other (explain).

NA

Q. Are there any refunds due on Main Extension Agreements? Yes No ___. If Yes, mark the block below which describes the proposed disposition of the refunds.

___ Transferor will continue to refund after the transfer.

___ Transferee will assume the refunding obligations.

A full refund will be made at closing by Transferor.

___ Other (explain).

R. (WATER ONLY) Are there any refunds due on meter and service line installations?
Yes No . If Yes, mark the block below that describes the proposed disposition of refunds.

___ Transferor will continue to refund after the transfer.

___ Transferee will assume the refunding obligations.

A full refund will be made at closing by Transferor.

___ Other (explain).

S. (Transferee) Attach the following exhibit(s):

1. Copy of bill of sale, purchase contract or other instrument, which conveys the assets to the transferee.
2. Articles of Incorporation (if corporation)
3. By-Laws (if corporation)
4. Certificate of Good Standing (if corporation)
5. Articles of Partnership (if partnership)
6. Articles of Organization (if limited liability company)
7. Corporate Resolution if required by Articles of Incorporation
8. Attach a copy of the transfer of City or County Franchise from the Transferor to Transferee.

T. List names and addresses of any other public utility interest Transferee has:

1. NONE
2. _____

U. Indicate the date that notice of the application was sent, or will be sent to the customers.

JUNE 2, 2009.

DATED the 12 day of NOVEMBER 2009

Pam Fisher

(Signature of Authorized Representative of Transferor)

PAM FISHER

(Type Name Here)

SEC/TRES

(Title)

SUBSCRIBED AND SWORN to before me on this 12 day of NOVEMBER 20 09



Angela Parker

NOTARY PUBLIC

My Commission Expires 3-16-2013

James C. Rea

(Signature of Authorized Representative of Transferee)

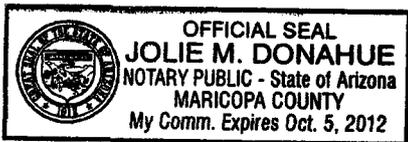
JAMES C. REA

(Type Name Here)

VICE PRESIDENT

(Title)

SUBSCRIBED AND SWORN to before me on this 16 day of November 2009



Jolie M Donahue

NOTARY PUBLIC

My Commission Expires Oct 5, 2012