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BEFORE THE ARIZONA CORPORATION COMMISSION

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2009 DEC -4 P 3:52

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

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DEC - 4 2009

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IN THE MATTER OF THE APPLICATION OF) DOCKET NO. W-02450A-06-0253
WATER UTILITY OF GREATER TONOPAH,)
INC., AN ARIZONA CORPORATION, FOR AN) **Motion for Extension of Time**
EXTENSION OF ITS CERTIFICATE OF)
CONVENIENCE AND NECESSITY.)

The Water Utility of Greater Tonopah ("Tonopah") respectfully requests an extension of time to file: (i) its Approval of Construction ("AOC") for its water source, treatment plant, storage tanks and water distribution system and (ii) the Discharge Authorization Letter related to the water treatment plant. These requirements stem from Decision No. 70037 (December 4, 2009), which granted Tonopah a CC&N extension for the portion of the Balterra development that was not yet within its CC&N. Tonopah was already certificated to provide service to the majority of the Balterra development and this extension added the remainder of Balterra.

The delay in obtaining the AOC is due to the well-known downturn in the Arizona housing market. Many developers and utilities have been impacted by the downturn. Due to the downturn, Tonopah was faced with the choice of building the water system before it was needed simply to comply with the Decision, or requesting an extension of time from the Commission. Construction would be expensive and premature at this time. The public interest is best served by an extension of time that will allow construction to proceed closer to the actual time of development.

Although Tonopah has not made the substantial investment needed to construct the water facilities and obtain the AOC and discharge authorization letter, Tonopah and its parent Global

ROSHKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Water Resources have made substantial investments to comply with Decision No. 70037. For
2 example:

3 (1) Tonopah has participated extensively in the Lower Hassayampa Sub-Basin study
4 before the Arizona Department of Water Resources in order to obtain the Designation of Assured
5 Water Supply required by Decision No. 70037.

6 (2) Tonopah met its compliance obligations under Decision No. 70037 regarding
7 arsenic treatment.

8 (3) Obtained a Maricopa County Franchise for the extension area and filed the
9 franchise with the Commission.

10 In total, significant resources have been invested to date regarding this extension. This
11 extension is also an important piece of the pending DAWS before the ADWR. In light of this
12 significant investment, the substantial progress Tonopah has made in meeting other compliance
13 requirements and the relationship of this extension to the critical Lower Hassayampa Sub-Basin
14 DAWS proceeding, Tonopah requests that the deadline for approval of the AOC and related
15 Discharge Authorization Letter be extended until December 4, 2013.

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17 RESPECTFULLY SUBMITTED this 4th day of December 2009.

18 ROSHKA DEWULF & PATTEN, PLC

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By 

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Michael W. Patten
Timothy J. Sabo
One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004

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ROSHKA DeWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Original + 13 copies of the foregoing
2 filed this 4th day of December 2009, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington
6 Phoenix, Arizona 85007

7 Copies of the foregoing hand-delivered/mailed
8 this 4th day of December 2009, to:

9 Lyn A. Farmer, Esq.
10 Chief Administrative Law Judge
11 Hearing Division
12 Arizona Corporation Commission
13 1200 West Washington
14 Phoenix, Arizona 85007

15 Janice Alward, Esq.
16 Chief Counsel, Legal Division
17 Arizona Corporation Commission
18 1200 West Washington
19 Phoenix, Arizona 85007

Steve Olea
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Brian Bozzo
Compliance Manager
Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

By 