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AZ CORP COMMISSION  
DOCKET CONTROL

1 FENNEMORE CRAIG, P.C.  
 A Professional Corporation  
 2 Jay L. Shapiro (No. 014650)  
 Todd C. Wiley (No. 015358)  
 3 3003 North Central Avenue  
 Suite 2600  
 4 Phoenix, Arizona 85012-2913  
 Telephone: (602) 916-5000  
 5  
 Attorneys for Rio Rico Utilities Inc.  
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 7

8 **BEFORE THE ARIZONA CORPORATION COMMISSION**

9 IN THE MATTER OF THE APPLICATION  
 OF RIO RICO UTILITIES, INC., AN  
 10 ARIZONA CORPORATION, FOR A  
 DETERMINATION OF THE FAIR VALUE  
 11 OF ITS UTILITY PLANTS AND PROPERTY  
 AND FOR INCREASES IN ITS WATER  
 12 AND WASTEWATER RATES AND  
 CHARGES FOR UTILITY SERVICE BASED  
 13 THEREON.

Docket No. WS-02676A-09-0257

**NOTICE OF FILING  
CERTIFICATION OF  
PUBLICATION AND PROOF OF  
MAILING**

14 Pursuant to the Procedural Order dated July 15, 2009, Rio Rico Utilities, Inc. (the  
 15 "Company") hereby files this Notice of Filing Certification of Publication and Proof of  
 16 Mailing in the above-captioned matter.

17 On August 21, 2009, notice regarding the hearing set for March 10, 2010 was  
 18 published in the *Nogales International*. The affidavit of Denise Peralta, Agent to the  
 19 Publisher of the *Nogales International*, is attached hereto as **Exhibit 1**.

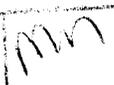
20 On August 5, 2009, August 12, 2009, and August 26, 2009 the Company mailed  
 21 notification to customers. A confirmation letter from Sandy Connelly, Account Manager  
 22 of aprisa enterprises, llc, is attached hereto as **Exhibit 2**, along with a copy of the notice.

23 ...  
24 ...  
25 ...  
26

Arizona Corporation Commission

**DOCKETED**

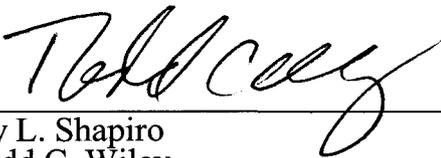
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DATED this 9 day of December, 2009.

FENNEMORE CRAIG, P.C.

By   
Jay L. Shapiro  
Todd C. Wiley  
Attorneys for Rio Rico Utilities

ORIGINAL and 13 copies  
of the foregoing were  
delivered this 9 day of  
December, 2009, to:

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

COPY of the foregoing was  
e-mailed and mailed this 9 day of  
December, 2009 to:

Jane Rodda, Esq.  
Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
400 W. Congress  
Tucson, Arizona 85701

COPY of the foregoing was  
hand-delivered this 9 day of  
December, 2009 to:

Robin Mitchell, Esq.  
Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Daniel W. Pozefsky, Esq.  
Michelle Wood, Esq.  
Residential Utility Consumer Office  
1110 W. Washington  
Suite 220  
Phoenix, Arizona 85007

1 Carmen Madrid  
2 Consumer Services  
3 Utilities Division  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

7 COPY of the foregoing was  
8 mailed this 9 day of  
9 December, 2009 to:

10 Michael W. Patten, Esq.  
11 Roshka DeWulf & Patten, PLC  
12 One Arizona Center  
13 400 East Van Buren Street, Suite 800  
14 Phoenix, Arizona 85004

15 By Sandra Baker

16 2264893.1/80191.006

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# **EXHIBIT**

**1**

**AFFIDAVIT OF PUBLICATION**

STATE OF ARIZONA )  
 : SS  
COUNTY OF SANTA CRUZ )

DENISE PERALTA Being first

Duly sworn, deposes and says: That (he) (she) is the Agent to the Publisher of the NOGALES INTERNATIONAL newspaper printed and published two days a week in the City of Nogales, County of Santa Cruz, State of Arizona. That the notice, a copy of which is hereto attached, described as follows:

**PUBLIC NOTICE OF HEARING ON THE APPLICATION OF RIO RICO UTILITIES, INC. FOR A RATE INCREASE FOR WATER AND WASTE-WATER SERVICE (DOCKET NO. WS-02676A-09-0257)**

was printed and published in the regular and entire issue of said

NOGALES INTERNATIONAL for 1 issue, that the first was

made on the 21ST day of AUGUST 2009 and the

last publication thereof was made on the 21ST day of AUGUST

2009 that said publication

was made on each of the following dates, to wit:

08/21/2009

Request of RIO RICO UTILITIES

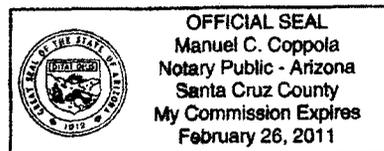
**NOGALES INTERNATIONAL**  
**268 W VIEW POINT, NOGALES, AZ 85621 (520) 281-9706**

By

Subscribed sworn to before me this 4TH day of SEPTEMBER, 2009

Notary Public in and for the County of Santa Cruz, State of Arizona

My Commission Expires:



**Play Bridge every Thursday**  
 1-3:30 p.m., singles or partners  
 Donations accepted  
 Patagonia Community/Senior Center  
 100 Quiroga Lane  
 For more information, call Don at (520) 394-2493

**Transportation for medical appointments**  
 Patagonia Community/Senior Center  
 100 Quiroga Lane  
 To Nogales, Tucson and

off the field of battle." Students learn many things at school, not limited to reading and writing. And former schoolhouses retain the ability to teach all of us important lessons about our past.  
 (Reach the writer at kathleenwan@msn.com.)



Diagoberto Medina, Joe Stack  
 214 W. 3rd Street  
 Nogales, AZ 85621

**Arion A. Ramirez**

would like to thank family, friends, and loved ones who were there for our our time of need. It is greatly appreciated.

use join us on Aug. 27th for a Mass at Holy Nativity church in Rio Rico at 5:00 PM in memory of Arion's birthday and to bless his ashes.

Thank you,  
 Carlos, Daniela Ramirez and family

# PUBLIC NOTICE OF HEARING ON THE APPLICATION OF RIO RICO UTILITIES, INC. FOR A RATE INCREASE FOR WATER AND WASTEWATER SERVICE (DOCKET NO. WS-02676A-09-0257)

**Summary**

On May 22, 2009, Rio Rico Utilities, Inc. ("RRUI" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for an increase in revenue for water and wastewater service in the above-captioned docket.

**Water Service**

RRUI is requesting an increase in its water utility revenues of \$2,057,112, and increase of 111.36 percent. If its proposal for its rates were to be adopted by the Commission in its entirety, the Company estimates that for a residential customer using an average 8,548 gallon per month would experience an increase of \$22.23, from \$19.94 under current rates, to \$42.17 under the proposed rates. This example is for illustrative purposes only, and the actual dollar and percentage changes for individual customers would vary depending on the type of customer served, and the quantity consumed for water service.

**Wastewater Service**

RRUI is requesting a decrease in wastewater utility revenues of \$89,058, a decrease of 4.87 percent. RRUI is proposing to decrease the single family residential flat rate by \$2.71, from \$56.36 to \$53.65. RRUI also seeks to decrease its commercial and multi-family tenant rates.

If you have any questions concerning how the Company's rate proposal will affect your bill or have other substantive questions about this application, you may contact the Company at: Rio Rico Utilities 1060-9 Yavapai Drive Rio Rico, AZ 85648; 520-281-7000.

The Commission's Utilities Division Staff has not yet made a recommendation regarding the Company's rate increase proposal, and the commission will determine the appropriate rate relief to be granted based on the evidence of record in this proceeding. The commission is not bound by the proposals made by the Company, Staff, or any intervenors and, therefore, the final rates approved in this docket may be lower or higher than the rates described above.

**How you can View or Obtain a Copy of the Rate Proposal**

Copies of the application and proposed rates are available from RRUI at 1060-9 Yavapai Drive Rio Rico, AZ 85648, 520-281-7000 and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona; and in its Tucson office, 400 West Congress, Room 218 Tucson, Arizona for public inspection during regular business hours and on the internet via the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-docket function.

**Arizona Corporation Commission Public Hearing Information**

The Commission will hold a hearing on this matter beginning March 10, 2010, at 10:00a.m. at the Commission's office, Hearing room 222, 400 West Congress Street, Tucson, Arizona. Public comments will be taken at the beginning of the first day of the hearing. Written public comments may also be submitted by mailing a letter referencing Docket No. WS-02676A-09-0257 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by email. For a form to use and instructions on how to email comments to the Commission, go to [http://www.azcc.gov/divisions/utilities/forms/public\\_comment.pdf](http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf). If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000, or 520-628-6550.

**About Intervention**

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you wish to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission no later than November 30, 2009, and send a copy of the motion to RRUI of its counsel and to all parties of record. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address and telephone number of any party upon whom service of documents is to be made, if not yourself;
2. A short statement of your interest in the proceeding (e.g., a customer of RRUI, a shareholder of RRUI, etc.); and
3. A statement certifying that you have mailed a copy of the motion to intervene to RRUI or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C., R14-3-105, except that all motions to intervene must be filed on or before November 30, 2009. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervenor will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/intervenor.pdf>. The granting of intervention, among witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

**ADA/Equal Access Information**

The commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Guadalupe Ortiz, Email [gnortiz@azcc.gov](mailto:gnortiz@azcc.gov); voice phone number 602-542-3931. Request should be made as early as possible to allow time to arrange the accommodation. 3931. Requests should be made as early as possible to allow time to arrange the accommodation.

Para traducción de este informe en Español, favor de comunicarse con nuestra oficina, ubicada en: 1060-9 Yavapai Drive Rio Rico, AZ 85648. Teléfono: 520-281-7000

# **EXHIBIT**

**2**

September 8, 2009

aprisa enterprises, llc  
428 S. Gilbert Rd. #105  
Gilbert, AZ 85296

Liberty Water  
12725 W. Indian School Rd.  
Avondale, AZ 85392

RE: Confirmation of "Notice of Public Hearing" notices mailed for Litchfield Park and Rio Rico Utilities

To whom it may concern:

Please accept this letter as confirmation that the Notice of Public Hearing Notices were mailed out on the following dates:

**Litchfield Park - August 10<sup>th</sup>, 17<sup>th</sup> and 24<sup>th</sup>.**

**Rio Rico - August 5<sup>th</sup>, 12<sup>th</sup> & 26<sup>th</sup>.**

If you should have any questions, please do not hesitate to contact me at the phone number below.

Sandy Connelly  
Account Manager

aprisa enterprises, llc  
428 S. Gilbert Rd., #105  
Gilbert, AZ 5296

480-507-5600 X705

**PUBLIC NOTICE OF HEARING ON THE**  
**APPLICATION OF RIO RICO UTILITIES,**  
**INC. FOR A RATE INCREASE FOR**  
**WATER AND WASTEWATER SERVICE**  
**(DOCKET NO. WS-02676A-09-0257)**

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