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AZ CORP COMMISSION
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Arizona Corporation Commission

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DEC 11 2009

Attorneys for DELLS WATER COMPANY,
INC

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BEFORE THE ARIZONA CORPORATION COMMISSION

In the Matter of THE APPLICATION OF
DELLS WATER COMPANY, INC., FOR
APPROVAL TO BORROW FUNDS TO
INCREASE THE WATER STORAGE
CAPACITY SUPPLY OF IT SERVICE
AREA.

DOCKET NO. W-01384A-08-0048

DECISION NO. 70953

COMPLIANCE TO A DECISION

Decision No. 70953 ordered the Company to file an ADEQ "AOC" for construction of its STORAGE FACILITY by December 31, 2009. The Company is requesting an extension of time until May 1, 2010 to file the ADEQ "AOC."

The Company submitted plans to ADEQ for the construction of the Storage Facility on August 21, 2009 and have not yet received an ATC for the new storage capacity.

In addition, the Company only recently received notice that our application to obtain a loan from the Water Infrastructure Finance Authority (WIFA) had been approved. That loan has not yet closed and without the loan the Company does not have the resources to construct the storage facility. The WIFA loan should close before the end of the year and the Company will contract with a firm to construct the storage facility at that time.

Because of the delay in obtaining financing and the uncertainty of the ADEQ review process, the Company respectfully requests an extension of time to file the AOC until May 1, 2010.

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DATED this 11th day of December, 2009.

MARTIN & BELL, L.L.C.

By 

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Attorneys for Wilhoit Water Company, Inc.

ORIGINAL filed with copies
mailed/delivered this 11th day
of December, 2009 to:

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