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Attorneys for DELLS WATER COMPANY,
INC

BEFORE THE ARIZONA CORPORATION COMMISSION

In the Matter of THE APPLICATION OF
DELLS WATER COMPANY, INC., FOR
APPROVAL OF A PERMANENT RATE
INCREASE

DOCKET NO. W-01384A-07-0314

DECISION NO. 70102

COMPLIANCE TO A DECISION

Decision No. 70102 ordered the Company to file an ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY CERTIFICATE OF APPROVAL OF CONSTRUCTION for the plant to increase storage capacity by December 31, 2008. That Decision was amended by Decision 70953 to extend the date for compliance until 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 has 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.

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