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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

JAN 26 2010

COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

DOCKETED BY nr

IN THE MATTER OF THE APPLICATION
OF SHEPARD WATER COMPANY, INC.
FOR APPROVAL OF A PERMANENT RATE
INCREASE.

DOCKET NO. W-01537A-07-0264

IN THE MATTER OF THE APPLICATION
OF SHEPARD WATER COMPANY, INC.
FOR APPROVAL OF A FINANCING
APPLICATION.

DOCKET NO. W-01537A-07-0265

DECISION NO. 71472

**ORDER EXTENDING TIME
DEADLINE CONTAINED IN
DECISION NO. 70651**

Open Meeting
January 12 and 13, 2010
Phoenix, Arizona

BY THE COMMISSION:

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On December 17, 2008, the Arizona Corporation Commission ("Commission") issued Decision No. 70651 which approved the application of Shepard Water Company, Inc. ("Company" or "Applicant") for a rate increase and for financing approval.

2. A condition of the Commission's approval for the Company's financing application required the Company to do the following: to draw the funds from the loan (up to \$112,100) from the Water Infrastructure Finance Authority ("WIFA") within one year of the effective date of the Decision or the authorization for the loan would be rescinded.

3. On November 24, 2009, the Company filed a Motion for an Extension of Time

1 ("Motion") for approval by the Commission to have until March 31, 2010, to draw the funds from
2 WIFA because the WIFA Board will not meet until February 2010 to approve the final loan
3 documents.

4 4. On December 3, 2009, the Commission's Utilities Division ("Staff") filed the Staff
5 Memorandum responding to the Motion.

6 5. The Staff Memorandum indicates that a member of Staff has spoken with a WIFA
7 representative and confirmed that the WIFA Board will not meet until February 2010 to approve the
8 final loan documents.

9 6. Staff's Memorandum indicates that Staff does not oppose the Motion by the Company
10 and recommends approval of the extension of time until March 31, 2010.

11 7. Under the circumstances, the Company's Motion is reasonable and should be granted
12 for the extension of time sought herein, until March 31, 2010, as recommended by Staff.

13 **CONCLUSIONS OF LAW**

14 1. The Company is a public service corporation within the meaning of Article XV of the
15 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

16 2. The Commission has jurisdiction over the Company and the subject matter of the
17 extension request addressed herein.

18 3. Staff's recommendation for the extension of time until March 31, 2010, should be
19 adopted.

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ORDER

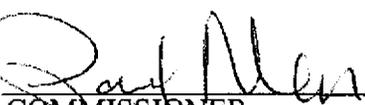
IT IS THEREFORE ORDERED that Shepard Water Company, Inc. shall be granted an extension of time, until March 31, 2010, to draw the funds approved from the WIFA loan as ordered in Decision No. 70651.

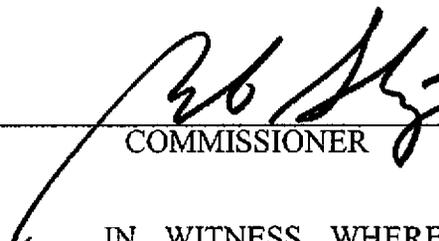
IT IS FURTHER ORDERED that this Decision shall become effective immediately.

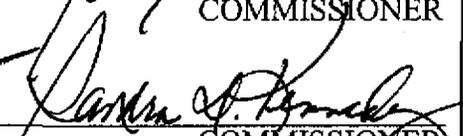
BY ORDER OF THE ARIZONA CORPORATION COMMISSION.


CHAIRMAN

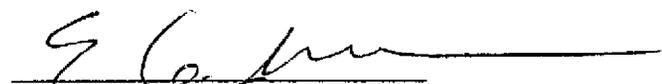

COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 26th day of JANUARY, 2010.


ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

MES:db

1 SERVICE LIST FOR:

SHEPARD WATER COMPANY, INC.

2 DOCKET NOS.:

W-01537A-07-0264 and W-01537A-07-0265

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