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1 Steve Wene, No. 019630  
2 MOYES SELLERS & SIMS LTD.  
3 1850 N. Central Avenue, Suite 1100  
4 Phoenix, Arizona 85004  
5 (602)-604-2189  
6 swene@lawms.com  
7 Attorneys for Mount Tipton Water Co.,

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**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

8  
9 KRISTIN K. MAYES, CHAIRMAN  
10 GARY PIERCE  
11 PAUL NEWMAN  
12 SANDRA D. KENNEDY  
13 BOB STUMP

Arizona Corporation Commission

**DOCKETED**

JAN 28 2010

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14 **APPLICATION OF MOUNT TIPTON**  
15 **WATER CO., INC. FOR AN INCREASE**  
16 **IN ITS WATER RATES**

Docket No. W-02105A-09-0522

**FILING OF AFFIDAVIT VERIFYING  
NOTICE OF HEARING MAILED TO  
CUSTOMERS**

19 Mt. Tipton Water Company, Inc. ("Company"), hereby files an affidavit  
20 verifying that the Company mailed to each known customer the public notice of hearing,  
21 attached herein, by First Class U.S. Mail on January 19, 2010.

22  
23 **RESPECTFULLY SUBMITTED** this 28<sup>th</sup> day of January, 2010.

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25 **MOYES SELLERS & SIMS**

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28 Steve Wene

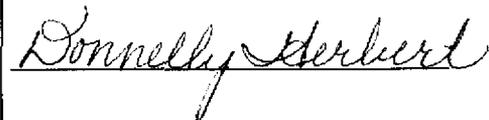
1 Original and 13 copies of the foregoing  
2 filed this 28<sup>th</sup> day of January, 2010, with:

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

7 Copy of the foregoing mailed this  
8 28<sup>th</sup> day of January, 2010, to:

9 Janice Alward, Chief Counsel  
10 Legal Division  
11 Arizona Corporation Commission  
12 1200 W. Washington Street  
13 Phoenix, Arizona 85007

14 Ernest Johnson, Director  
15 Utilities Division  
16 Arizona Corporation Commission  
17 1200 West Washington Street  
18 Phoenix, Arizona 85007

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**PUBLIC NOTICE OF HEARING ON THE APPLICATION OF MT. TIPTON WATER COMPANY, INC. FOR AN INCREASE IN ITS WATER RATES.**

**(Docket No. W-02105A-09-0522)**

**Summary**

On November 13, 2009, Mt. Tipton Water Company, Inc. ("Mt. Tipton") filed with the Arizona Corporation Commission ("Commission") an application for a permanent increase in its water rates and charges, using a test year ("TY") of July 1, 2008, through June 30, 2009. Mr. Tipton requests authorization to increase its rates to generate an additional \$78,014 in gross revenues per year. In its application, Mt. Tipton reports unaudited actual TY operating income of \$19,803 and unaudited adjusted TY operating income of (\$17,643). Mt. Tipton proposes to increase its minimum monthly charges, its commodity rates, most of its service charges, and its service line and meter installation charges. Under Mt. Tipton's proposed rates, the minimum monthly charge for a customer served by a 5/8" x 3/4" meter would increase from \$19.00 to \$26.00, and the commodity rates assessed to such a customer would increase from \$2.45 to \$2.534 per thousand gallons for usage up to 4,000 gallons, from \$3.20 to \$3.60 per thousand gallons for usage between 4,001 and 9,000 gallons, and from \$4.20 to \$4.50 per thousand gallons for usage exceeding 9,000 gallons. Customers served by other meter sizes would also experience increases in both minimum monthly charges and commodity rates.

The Commission's Utilities Division Staff ("Staff") is in the process of auditing and analyzing Mr. Tipton's records and has not yet made a recommendation regarding the rate application. The Commission will determine the appropriate relief to be granted based on the evidence of record in the proceeding. The Commission is not bound by the proposals made by Mr. Tipton, Staff, or any intervenors. The final rates approved by the Commission may be higher or lower than those proposed by Mt. Tipton.

**How You Can View or Obtain a Copy of the Rate Proposal**

Copies of the application and proposed rates are available at Mt. Tipton's offices at 11<sup>th</sup> Street and Ironwood Drive in Dolan Springs, and at the Commission's Docket Control Center at 1200 West Washington Street, Phoenix, 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 **June 21, 2010, at 10:00**, at the Commission's offices, Hearing Room #1, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by mailing a letter referencing Docket No. W-02105A-09-0522 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Street, Phoenix, Arizona 85007, or by e-mail. For a form to use and instructions on how to e-mail 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 602-542-4251.

### **About Intervention**

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you desire to intervene, you must file a written motion to intervene with the Commission no later than March 26, 2010. You must send a copy of the motion to intervene to Mt. Tipton or 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 person 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 Mt. Tipton, etc.); and
3. A statement certifying that you have mailed a copy of the motion to intervene to Mt. Tipton 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 March 26, 2010. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor's obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other 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, Shaylin Bernal, at [sabernal@azcc.gov](mailto:sabernal@azcc.gov), voice phone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.