

ORIGINAL



0000107910

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.

RECEIVED

2010 FEB 19 P 2: 32

ARIZONA CORP COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

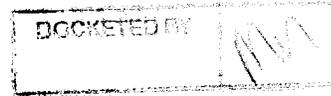
COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

FEB 19 2010



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 OF
PUBLICATION VERIFYING PUBLIC
NOTICE OF HEARING ON THE
RATE APPLICATION**

19 Mt. Tipton Water Company, Inc. ("Company"), hereby files an Affidavit of
20 Publication set forth in Exhibit 1 verifying the public notice of the hearing was published
21 on or before January 22, 2010.

22 RESPECTFULLY SUBMITTED this 19th day of February, 2010.

24 **MOYES SELLERS & SIMS**

26

27 Steve Wene
28 Attorneys for Mt. Tipton Water Company

1 Original and 13 copies of the foregoing
2 filed this 19th day of February, 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 19th day of February, 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

19
20
21
22
23
24
25
26
27
28


EXHIBIT 1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AFFIDAVIT

STATE OF ARIZONA)
) ss.
County of Mohave)

I, the undersigned, after being first duly sworn upon my oath, hereby affirm as follow:

- 1) I am over the age of eighteen.
- 2) I have personal knowledge of the statements set forth herein and I am competent to testify at a hearing or trial with respect to the same.
- 3) I certify that on behalf of Mt. Tipton Water Company, Inc., I caused to be published, by January 22, 2010, in a newspaper of general circulation, *The Hometown Crier*, a copy of the published notice, which is attached.

DATED this 19th day of February, 2010.

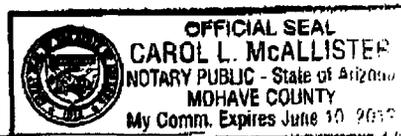
Michelle Monzillo
Michelle Monzillo, Business Administrator
Mt. Tipton Water Company, Inc.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 19th day of January, 2010.

Carol L. McAllister
Notary Public

My Commission Expires:

06-10-2012



**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 11th 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) 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. 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, voice phone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.