

ORIGINAL

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION C

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2 COMMISSIONERS
3 KRISTIN K. MAYES - Chairman
4 GARY PIERCE
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2010 FEB 26 A 8: 58

AZ CORP COMMISSION
DOCKET CONTROL

7 IN THE MATTER OF THE APPLICATION OF
8 OF DS WATER COMPANY FOR APPROVAL
9 OF A RATE INCREASE.

DOCKET NO. W-04049A-08-0339

**STAFF'S REQUEST FOR CLARIFICATION
OF THE RECOMMENDED OPINION AND
ORDER**

11 The Utilities Division of Arizona Corporation Commission ("Staff") files this proposed
12 request for clarification to the Administrative Law Judge's ("ALJ") Recommended Order ("ROO")
13 dated February 12, 2010.

14 On page 21, line 4 through 6, of the ROO, the ordering paragraph reads as follows:

15 IT IS FURTHER ORDERED that Staff shall review DS Water Company's quarterly
16 status reports relating to its System Water Plan and shall communicate any suggestions
17 for improvement to DS Water Company.

18 This ordering paragraph refers to quarterly status reports, the ROO requires DS Water Company
19 ("Company") to prepare and file, that relate to its progress in obtaining the Arizona Department of
20 Water Resources ("ADWR") approval of its System Water Plan ("Plan"). Staff believes that, since
21 ADWR is the agency that ultimately has the authority to approve this plan, ADWR would more
22 appropriately be able to provide assistance to the Company regarding improvements to its Plan.

23 The Company can then, as required in the prior ordering paragraph of the ROO, provide
24 documentation, by December 31, 2010, that indicates the Company's Plan meets ADWR
25 requirements.

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Arizona Corporation Commission
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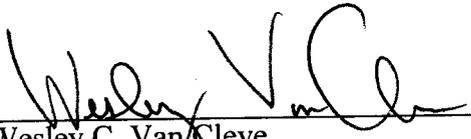
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1 Staff therefore respectfully requests that the ALJ delete the ordering paragraph on page 21,
2 lines 4 through 6.

3 RESPECTFULLY SUBMITTED this 26th day of February, 2010.

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5 
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9 Original and thirteen (13) copies
10 of the foregoing were filed this
11 26th day of February, 2010 with:

11 Docket Control
12 Arizona Corporation Commission
13 1200 West Washington Street
14 Phoenix, Arizona 85007

14 Copy of the foregoing mailed this
15 26th day of February, 2010 to:

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