

OPEN MEETING ITEM



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



ARIZONA CORPORATION COMMISSION

Executive Director
Arizona Corporation Commission
DOCKETED

MAR 11 2010

ORIGINAL

DATE: MARCH 11, 2010

DOCKETED BY

DOCKET NOS.: SW-03575A-06-0545 AND W-03576A-06-0545

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Yvette B. Kinsey. The recommendation has been filed in the form of an Order on:

GLOBAL WATER-PALO VERDE UTILITIES COMPANY
AND GLOBAL WATER-SANTA CRUZ WATER COMPANY
(EXTENDING TIME DEADLINE
CONTAINED IN DECISION NO. 70381)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

MARCH 22, 2010

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

MARCH 31, 2010 AND APRIL 1, 2010

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

IN THE MATTER OF THE JOINT APPLICATION
OF PALO VERDE UTILITIES COMPANY AND
SANTA CRUZ WATER COMPANY, FOR AN
EXTENSION OF THEIR RESPECTIVE
CERTIFICATES OF CONVENIENCE AND
NECESSITY IN PINAL COUNTY, ARIZONA.

DOCKET NO. SW-03575A-06-0545
DOCKET NO. W-03576A-06-0545

DECISION NO. _____

**ORDER EXTENDING TIME
DEADLINE CONTAINED IN
DECISION NO. 70381**

Open Meeting
March 31 and April 1, 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 August 29, 2006, Global Water – Santa Cruz Water Company (“Global Water-Santa Cruz”) and Global Water – Palo Verde Utilities Company (“Global Water-Palo Verde) (jointly “Global Utilities”) filed with the Arizona Corporation Commission (“Commission”) a joint application for an extension of their respective Certificates of Convenience and Necessity (“CC&Ns”) in Pinal County, Arizona.

2. On June 13, 2008, the Commission issued Decision No. 70381, approving Global Utilities’ joint application to extend their respective CC&Ns to include 13 square miles in Pinal County, Arizona. The Decision required Global Water-Santa Cruz to file, among other things, the Approval to Construct (“ATC”) for the first well, storage facility, and distribution system for Phase I development in the Northwest Zone of the extension area by June 30, 2009.

1 3. On June 30, 2009, Global Utilities filed a motion for an extension of time to comply
2 with Decision No. 70381, until June 30, 2010, for Global Water – Santa Cruz to file the ATC for the
3 first well, storage facility, and distribution system for Phase 1 development in the Northwest Zone.

4 4. On September 3, 2009, the Commission issued Decision No. 71263, granting Global
5 Water-Santa Cruz an extension of time, until June 30, 2010, to file the ATC for the first well, storage
6 facility, and distribution system for Phase 1 development in the Northwest Zone.

7 5. On December 31, 2009, Global Utilities filed a second request for an extension of time
8 to meet various compliance deadlines related to the Arizona Department of Environmental Quality's
9 ("ADEQ") Certificates of Approval of Construction ("AOC"), set forth with Decision No. 70381.
10 Global Utilities' second request seeks an extension of time, until December 31, 2012, to file the
11 outstanding compliance items in the Decision.

12 6. In the second request for an extension of time, Global Utilities state that they have met
13 three of the five compliance items pertaining to the AOCs required in Decision No. 70381, including
14 amending the Designation of Assured Water Supply ("DAWS") to include the extension area. (R. at
15 2) Further, the second request states that due to the recession, development and home-building has
16 been hard hit, and it is not prudent at this time to spend significant capital to obtain the remaining
17 AOCs. (R. at 3)

18 7. On February 19, 2010, the Commission's Utilities Division Staff ("Staff") filed a
19 Memorandum recommending approval of Global Utilities' second request for an extension of time to
20 comply with Decision No. 70381. Staff stated that Decision No. 70381 ordered Global Water-Palo
21 Verde and Global Water-Santa Cruz to file the following requirements relating to ADEQ AOCs:

- 22 a. Global Water-Palo Verde shall file as a compliance time in this docket a copy
23 of the AOC for the sewer collection system for Phase 1 and for the Southwest
24 Zone by December 31, 2009;
- 25 b. Global Water-Palo Verde shall file a copy of the AOC for the sewer line
26 extension in the North Zone by December 31, 2009;
- 27 c. Global Water-Palo Verde shall file the AOC for the lift station, force mains,
28 and sewer lines in the Northwest Zone by December 31, 2009;

1 IT IS FURTHER ORDERED that Global Water-Palo Verde Utilities Company is hereby
2 granted an extension of time to comply with Commission Decision No. 70381, until December 31,
3 2012, to file the Approval of Construction for the lift station, force mains, and sewer lines in the
4 North West Zone.

5 IT IS FURTHER ORDERED that Global Water-Santa Cruz Water Company is hereby
6 granted an extension of time to comply with Commission Decision No. 70381, until December 31,
7 2012, to file the Approval of Construction for the remaining well in the extension area.

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

9 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.
10
11

12 CHAIRMAN _____

COMMISSIONER

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14
15 COMMISSIONER _____

COMMISSIONER

COMMISSIONER

16
17 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
18 Executive Director of the Arizona Corporation Commission,
19 have hereunto set my hand and caused the official seal of the
20 Commission to be affixed at the Capitol, in the City of Phoenix,
21 this _____ day of _____, 2010.

22 _____
23 ERNEST G. JOHNSON
24 EXECUTIVE DIRECTOR

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26 DISSENT _____

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28 DISSENT _____

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SERVICE LIST FOR:

GLOBAL WATER-PALO VERDE UTILITIES
COMPANY AND GLOBAL WATER-SANTA CRUZ
WATER COMPANY

DOCKET NOS.:

SW-03575A-06-0545 AND W-03576A-06-0545

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