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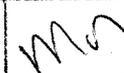
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL June 11, 2010

Arizona Corporation Commission
Docket Control
Phoenix, AZ

Arizona Corporation Commission
DOCKETED

JUN 14 2010

RE: DISSENT
W-01676A-08-0366
Pineview Water Company

DOCKETED BY	
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I wanted to submit to the docket an explanation as to why I voted against the Pineview Water rate case at the April 27th Open Meeting.

The issue for me was not that whether I believed the administrative law judge had erred in the Recommended Order and Opinion or that the company was not entitled to a rate increase. My vote was the result of the amendment that was attached to the order.

I want to make clear that I support and have supported in the past provisions to encourage water conservation. I value our precious and limited water resources.

My "NO" vote on both the amendment and the order had more to do with my concern about the potential burden we may have placed on our very small private

water companies who work hard to provide reliable water to their customers. Especially, if those water companies do not have technical experts on staff or represented by legal counsel, who may advise them about the Commission's Best Management Practices (BMP) policies.

It became apparent to me during the Open Meeting, that the owner and operator were neither aware nor familiar with the practice of requiring water companies located outside an Active Management Area to adopt Best Management Practices methods for water conservation; a policy that I have supported in the past. However, if this is to become a routine practice I believe we should either raise the BMP issue during the hearing process or give the company a heads up prior to having their rate cases voted by the Commissioners.

I hope that once staff has completed the BMP templates and if the Commission adopts them this may no longer be an issue and companies will know from the outset of the rate case the possibility that they may be required to comply as a condition of their rate case.

A handwritten signature in black ink, appearing to read "Sandra D. Kennedy". The signature is fluid and cursive, with a large loop at the end.

Sandra D. Kennedy
Corporation Commissioner
W-01676A-08-0366
Pineview Water Company