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BEFORE THE ARIZONA CORPORATION COMMISSION  
Arizona Corporation Commission

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

IN THE MATTER OF THE APPLICATION OF  
 BLACK MOUNTAIN SEWER CORPORATION,  
 AN ARIZONA CORPORATION, FOR A  
 DETERMINATION OF THE FAIR VALUE OF  
 ITS UTILITY PLANT AND PROPERTY AND  
 FOR INCREASES IN ITS RATES AND  
 CHARGES FOR UTILITY SERVICE BASED  
 THEREON.

DOCKET NO. SW-02361A-08-0609

**STAFF'S CLARIFICATIONS TO  
RECOMMENDED OPINION AND ORDER**

The Utilities Division ("Staff") of the Arizona Corporation Commission ("Commission") respectfully submits the following clarifications in response to the Recommended Opinion and Order ("ROO") for Black Mountain Sewer Corporation ("BMSC" or "Company") issued by Administrative Law Judge Dwight Nodes August 3, 2010.

**I. PLANT CLOSURE.**

On page 56, line 12, the ROO directs the Company to file a full case no later than 12 months after completion of the treatment plant closure project. Staff would request, that as a compliance matter, the Company be ordered to file, with Docket Control, a notification of the completion of the plant closure project within 15 days of such completion.

Staff would suggest the addition of the following ordering paragraph:

"IT IS FURTHER ORDERED that Black Mountain Sewer Corporation shall notify the Commission of completion of the treatment plant closure within 15 days of such completion."

**II. HOOK-UP FEE TARIFF.**

On page 60 at line 21, it states that the agreed upon language regarding the restriction on the use of hook-up fees was contained in a proposed hook-up fee tariff found in the Company's final schedules. The agreed upon hook-up fee tariff is found as Exhibit 2 to the Company's initial brief.

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RESPECTFULLY SUBMITTED this 12<sup>th</sup> day of August, 2010.

  
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Original and thirteen (13) copies  
of the foregoing were filed this  
12<sup>th</sup> day of August, 2010 with:

Docket Control  
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1200 West Washington Street  
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Copies of the foregoing were mailed  
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