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2010 AUG 23 P 12: 28

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

AUG 23 2010

DOCKETED BY *[Signature]*

15 **IN THE MATTER OF THE**
16 **COMMISSION ON ITS OWN MOTION**
17 **INVESTIGATION THE FAILURE OF**
18 **TRUXTON CANYON WATER**
19 **COMPANY TO COMPLY WITH**
20 **COMMISSION RULES AND**
21 **REGULATIONS.**

DOCKET NO. W-02168A-10-0247

PRELIMINARY STATEMENT

22 Pursuant to Arizona Corporation Commission ("Commission") Decision No.
23 71837, Truxton Canyon Water Company ("Company"), intends to appear and show cause
24 why an interim operator should not be appointed to assume control of the Company. The
25 Company has already filed its answer.

26 Decision No. 71837 states that the Company must file a preliminary statement
27 explaining how it will make a showing of cause. First of all, to ensure that all issues are
28

1 addressed, the Company has contacted the appropriate regulatory agencies to determine
2 exactly what tasks must be completed for the Company to become compliant. The
3 Company has contacted the Arizona Department of Environmental Quality ("ADEQ")
4 and obtained this list from ADEQ. The Company has requested a similar list from
5 Commission staff ("Staff") and anticipates that Staff will provide such a list soon.
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8 Once the Company has a list of all tasks that need to be addressed to achieve
9 compliance, it will identify which tasks are completed, which tasks it reasonably expects
10 to be completed in the near future, and tasks that cannot be completed at this time. If
11 certain tasks cannot be completed at this time, the Company will explain why. This
12 documentation will be submitted to the Commission. The Company believes that the
13 facts will demonstrate an interim manager is not necessary.
14

15 **RESPECTFULLY SUBMITTED** this 23rd day of August, 2010.

16
17 **Moyes Sellers & Sims Ltd.**

18
19 

20 Steve Wene

21 Attorneys for Truxton Canyon Water Company

22 Original and 13 copies of the foregoing
23 filed this 23rd day of August, 2010, with:

24 Docket Control
25 Arizona Corporation Commission
26 1200 West Washington
27 Phoenix, Arizona 85007

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