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ARIZONA CORPORATION COMMISSION
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1 FENNEMORE CRAIG, P.C.
A Professional Corporation
2 Jay L. Shapiro (No. 014650)
Patrick J. Black (No. 017141)
3 3003 North Central Avenue
Suite 2600
4 Phoenix, Arizona 85012
Telephone (602) 916-5000

5
6 Attorneys for The Links at Coyote Wash Utilities, LLC

7 **BEFORE THE ARIZONA CORPORATION COMMISSION**

8 IN THE MATTER OF THE APPLICATION
OF THE LINKS AT COYOTE WASH
9 UTILITIES, LLC, FOR AN EXTENSION OF
ITS EXISTING CERTIFICATE OF
10 CONVENIENCE AND NECESSITY FOR
WASTEWATER SERVICE IN YUMA
11 COUNTY, ARIZONA.

DOCKET NO. SW-04210A-06-0220

**MOTION FOR EXTENSION OF TIME TO
COMPLY WITH DECISION NO. 71189**

12 The Links at Coyote Wash Utilities, L.L.C. (“Company”) hereby submits this Motion for
13 Extension of Time to Comply with Decision No. 71189 (June 30, 2009). Decision No. 71189
14 granted the Company an extension of time, until August 31, 2010, to file copies of the Approval
15 of Construction (“AOC”) for wastewater infrastructure constructed to serve a development known
16 as Links at Coyote Wash Unit #4, as well an amended Aquifer Protection Permit (“APP”) – both
17 of which were previously ordered to be filed in Decision No. 69209 (December 21, 2006).

18 As stated in the Company’s Notice of Compliance filed August 31, 2010 (“Compliance
19 Notice”), the AOCs for Unit #4 have not yet been obtained. The developer indicates that the
20 engineering plans required to obtain the permit are being finalized; however, the developer
21 anticipates that it will be several weeks before the plans are complete. It is the Company’s
22 position that this delay in development is due solely to the extraordinary economic conditions
23 persisting today – a far cry from what the economic conditions were at the time Decision No.
24 69209 was issued.

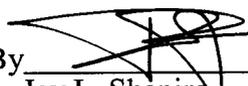
25 Similarly, despite the Company’s diligence in pursuing an amended APP through the
26 Arizona Department of Environmental Quality (“ADEQ”), the amendment has yet to be finalized.

1 The Company's engineers have been responsive to ADEQ's requests. *See, e.g.*, Compliance
2 Notice at Exhibit 1. But administrative approval has been slow due to several factors, including
3 the impact of the economy and budget cuts at ADEQ. Although the Company has been diligent
4 in working with ADEQ, it cannot predict when the amended APP will be issued.

5 As a result, the Company is requesting that the deadline to file a copy of the required
6 AOCs and amended APP permit be extended to August 31, 2012. Such an extension should
7 provide the developer and the Company to obtain the outstanding compliance items required by
8 Decision No. 71189. It will also help the parties avoid the time and effort necessary to address
9 the validity of the CC&N (through further hearings), which CC&N currently covers Unit #3 of
10 the development in which customers are being served.

11 RESPECTFULLY SUBMITTED this 8th day of September, 2010.

12 FENNEMORE CRAIG, P.C.

13
14 By 

Jay L. Shapiro
Patrick J. Black

Attorneys for The Links at Coyote Wash Utilities, LLC

15
16 ORIGINAL and 13 copies filed this
17 8th day of September, 2010, with:

18 Docket Control
19 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

20 COPY hand-delivered this 8th day of September, 2010:

21 Janice Alward, Chief Legal Counsel
22 Legal Division
Arizona Corporation Commission
1200 West Washington Street
23 Phoenix, Arizona 85007

24 Steve Olea, Director
25 Utilities Division
Arizona Corporation Commission
1200 West Washington Street
26 Phoenix, Arizona 85007

1 Brian Bozzo, Compliance
Utilities Division
2 Arizona Corporation Commission
1200 West Washington Street
3 Phoenix, Arizona 85007

4 Carmel Hood, Compliance
Utilities Division
5 Arizona Corporation Commission
1200 West Washington Street
6 Phoenix, Arizona 85007

7
8 By *Maria San Jose*
2349994.1/16307.001

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