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BEFORE THE ARIZONA CORPORATION C

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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

SEP 28 2010

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IN THE MATTER OF THE APPLICATION OF JOHNSON UTILITIES, L.L.C., DBA JOHNSON UTILITIES COMPANY FOR AN INCREASE IN ITS WATER AND WASTEWATER RATES FOR CUSTOMERS WITHIN PINAL COUNTY, ARIZONA.

DOCKET NO. WS-02987A-08-0180

Decision No. 71910

ORDER NUNC PRO TUNC AND EXTENSION OF FILING DEADLINES

Open Meeting
September 21 and 22, 2010
Phoenix, Arizona.

BY THE COMMISSION:

On March 31, 2008, Johnson Utilities, LLC, dba Johnson Utilities Company (Johnson Utilities”) filed with the Arizona Corporation Commission (“Commission”) a rate application for its water and wastewater utility services, using a test year ended December 31, 2007.

On August 25, 2010, the Commission issued Decision No. 71854.

On September 3, 2010, Johnson Utilities filed a Request for Correction of Decision No. 71854 *Nunc Pro Tunc*. Therein, Johnson Utilities identified four items for which it requests be corrected by means of issuance of an Order *Nunc Pro Tunc*.

Exhibit A Errors

Johnson Utilities identifies two errors in Exhibit A attached to Decision No. 71854. The Service Line and Meter Installation Charges and the Service Charges for the Water Division, which were present in the Recommended Opinion and Order, are missing from Decision No. 71854.

The Exhibit A attached to Decision No. 71854 contained clerical errors which should be corrected. The replacement Exhibit A attached hereto and incorporated herein, which includes Service Line and Meter Installation Charges and the Service Charges for the Water Division, should therefore replace the incomplete version of Exhibit A that was attached to Decision No. 71854 *nunc*

1 *pro tunc.*

2 **Filing Deadline Extensions**

3 Johnson Utilities points out two filing deadlines in Decision No. 71854 that it believes should
4 be changed.

5 First, the Decision orders Johnson Utilities to file new rate schedules by August 20, 2010.
6 Johnson Utilities requests that this deadline be changed to 30 days after the date of the Decision, or
7 September 23, 2010. Second, the Decision orders Johnson Utilities to make a Central Arizona
8 Groundwater Replenishment District ("CAGRDR") adjustor mechanism filing by August 25, 2010.
9 Johnson Utilities requests that this deadline be changed to allow an additional 30 days, until
10 September 23, 2010, for Johnson Utilities to make the CAGRDR adjustor mechanism filing.

11 The Decision orders Johnson Utilities to implement a CAGRDR adjustor mechanism as
12 recommended by Staff. Johnson Utilities' annual CAGRDR fee is due on October 15 each year.
13 Under Decision No. 71854, Johnson Utilities was required to make a filing by August 25, 2010, in
14 order to keep the CAGRDR adjustor mechanism in place.¹ Johnson Utilities requests that the Ordering
15 Paragraph in the Decision authorizing the implementation of the CAGRDR adjustor mechanism be
16 revised to allow Johnson Utilities to extend by 30 days, to September 23, 2010, the deadline for the
17 filing that is due on August 25, 2010.

18 The filing deadlines which Johnson Utilities' September 3, 2010 filing seeks to change are not
19 the result of clerical, technical or computational errors, and would therefore not typically be
20 addressed by an Order *Nunc Pro Tunc*. However, we find it is in the public interest to extend the
21 filing deadlines as requested by Johnson Utilities in its September 3, 2010 filing, and will extend
22 them in this Order.

23 IT IS THEREFORE ORDERED that Decision No. 71854 is hereby amended, *nunc pro tunc*,
24 to include the "Exhibit A" attached hereto and incorporated herein in place of the "Exhibit A"

25 _____
26 ¹ Staff's recommended condition No. 7 on the CAGRDR adjustor mechanism, adopted by Decision No. 71854, requires
27 Johnson Utilities to submit for Commission consideration, by August 25 each year, beginning in 2010, Johnson Utilities'
28 proposed CAGRDR adjustor fees for the Phoenix and Pinal AMAs, along with the calculations and documentation from the
relevant state agencies to support the data used in the calculations. Condition No. 7 provides that Johnson Utilities'
"[F]ailure to provide such documentation to Staff shall result in the immediate cessation of the CAGRDR adjustor fee.
Commission-approved fees shall become effective the following October 1st." Decision No. 71854 at 38-39.

1 attached to Decision No. 71854.

2 IT IS FURTHER ORDERED that Johnson Utilities, LLC, dba Johnson Utilities Company is
3 hereby granted an extension of time to file the new schedules of rates and charges required by
4 Decision No. 71854.

5 IT IS FURTHER ORDERED that Johnson Utilities, LLC, dba Johnson Utilities Company
6 shall file with the Commission, on or before September 23, 2010, the schedules of rates and charges
7 attached hereto and incorporated herein as Exhibit A, which shall be effective for all service rendered
8 on and after June 1, 2010.

9 IT IS FURTHER ORDERED that Johnson Utilities, LLC, dba Johnson Utilities Company is
10 hereby granted an extension of time to make the filing required by Condition No. 7 to the CAGR
11 adjustor mechanism approved in Decision No. 71854.

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1 IT IS FURTHER ORDERED that Johnson Utilities, LLC, dba Johnson Utilities Company
2 shall file, by September 23, 2010, its proposed CAGR D adjustor fees for the Phoenix and Pinal
3 AMAs, along with the calculations and documentation from the relevant state agencies to support the
4 data used in the calculations. Failure to provide such documentation to Staff by September 23, 2010,
5 shall result in the immediate cessation of the CAGR D adjustor fee. Johnson Utilities, LLC, dba
6 Johnson Utilities Company shall, in future years, make the filing required by Condition No. 7 on or
7 before August 25 in order to prevent the immediate cessation of the CAGR D adjustor fee, as set forth
8 in Condition No. 7 to Decision No. 71854.

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

10 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

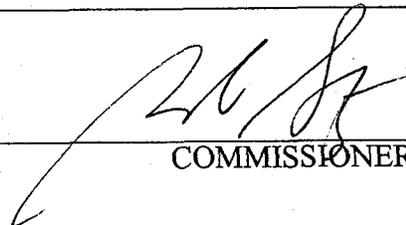
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12 CHAIRMAN

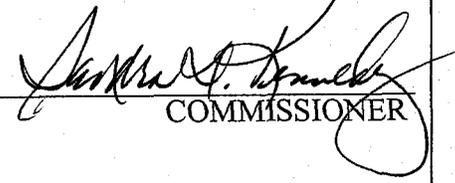
COMMISSIONER

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14 COMMISSIONER

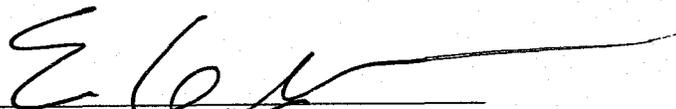
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COMMISSIONER

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COMMISSIONER

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 28th day of September, 2010.

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ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

23 DISSENT _____

24 DISSENT _____

1 SERVICE LIST FOR:

JOHNSON UTILITIES, L.L.C., DBA JOHNSON
UTILITIES COMPANY

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WS-02987A-08-0180

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1200 West Washington Street
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EXHIBIT A

WATER DIVISIONMONTHLY USAGE CHARGE:

5/8" x 3/4" Meter	\$ 11.00
3/4" Meter	16.50
1" Meter	27.50
1-1/2" Meter	55.00
2" Meter	88.00
3" Meter	176.00
4" Meter	275.00
6" Meter	550.00
8" Meter	880.00
10" Meter	1,265.00

COMMODITY RATES

(Residential, Commercial, Industrial)

All Meter Sizes

Gallons Included in Minimum 0

5/8" x 3/4" Meter Residential

0 to 4,000 Gallons \$1.7600

4,001 to 10,000 Gallons 2.1400

Over 10,000 Gallons 2.4960

3/4" Meter Commercial, Industrial,**Irrigation and Public Authority**

0 gallons to 10,000 gallons

Over 10,000 gallons

1" Meter

From 1 to 32,000 gallons 2.1400

Over 32,000 gallons 2.4960

1-1/2" Meter

From 1 to 88,000 gallons 2.1400

Over 88,000 gallons 2.4960

2" Meter

From 1 to 156,000 gallons 2.1400

Over 156,000 gallons 2.4960

3" Meter

From 1 to 339,000 gallons 2.1400

Over 339,000 gallons 2.4960

4" Meter

From 1 to 545,000 gallons 2.1400

Over 545,000 gallons 2.4960

6" Meter

From 1 to 1,120,000 gallons 2.1400

Over 1,120,000 gallons 2.4960

8" Meter

From 1 to 1,800,000 gallons 2.1400

Over 1,800,000 gallons 2.4960

10" Meter

From 1 to 2,600,000 gallons 2.1400

Over 2,600,000 gallons 2.4960

Construction Water

2.4960

Central Arizona Water

See Tariff

EXHIBIT A

SERVICE LINE AND METER INSTALLATION CHARGES:

(Refundable Pursuant to A.A.C. R14-2-405)

	<u>Service Line</u>	<u>Meter Installation</u>	<u>Total</u>
5/8" x 3/4" Meter	\$ 385.00	\$ 135.00	\$ 520.00
3/4" Meter	385.00	215.00	\$ 600.00
1" Meter	435.00	255.00	\$ 690.00
1½" Meter	470.00	465.00	\$ 935.00
2" Turbine Meter	630.00	965.00	\$ 1,595.00
2" Compound Meter	630.00	1,690.00	\$ 2,320.00
3" Turbine Meter	805.00	1,470.00	\$ 2,275.00
3" Compound Meter	845.00	2,265.00	\$ 3,110.00
4" Turbine Meter	1,170.00	2,350.00	\$ 3,520.00
4" Compound Meter	1,230.00	3,245.00	\$ 4,475.00
6" Turbine Meter	1,730.00	4,545.00	\$ 6,275.00
6" Compound Meter	1,770.00	6,280.00	\$ 8,050.00
8" & Larger Meter	Cost	Cost	Cost

SERVICE CHARGES

Establishment	\$ 25.00
Establishment (After Hours)	40.00
Reconnection (Delinquent)	50.00
Reconnection (Delinquent and After Hours)	N/A
Meter Test (If Correct)	25.00
Deposit (Residential)	(a)
Deposit (Non-Residential)	(a)
Deposit Interest	(b)
Re-establishment (Within 12 Months)	(c)
Re-establishment (After Hours)	(c)
NSF Check	15.00
Deferred Payment, Per Month	1.50%
Meter Re-read (If Correct)	5.00
Customer Requested Per Rule R14-2-405B	Cost
After-hours Service, Per Rule R14-2-403D	Refer to Above Charges
Late Charge, Per month	1.50%

(a) Residential: two times the average billNon-Residential: two and one-half times the maximum monthly bill.

(b) Interest per Rule R14-2-403(B)

(c) Minimum charge times number of months off the system, per rule R14-2-403(D)

IN ADDITION TO THE COLLECTION OF REGULAR RATES, THE UTILITY WILL COLLECT FROM ITS CUSTOMERS ITS CUSTOMERS A PROPORTIONATE SHARE OF ANY PRIVILEGE, SALES, USE AND FRANCHISE TAX, PER RULE R14-2-409(D)(5).

EXHIBIT A

WASTEWATER DIVISIONMONTHLY USAGE CHARGE:

5/8" Meter	\$ 29.8100
3/4" Meter	32.7900
1" Meter	41.7300
1-1/2" Meter	53.6508
2" Meter	86.4400
3" Meter	327.8700
4" Meter	625.9300
6" Meter	864.3700
8" Meter	1,092.6000
10" Meter	1,748.3300
Effluent: per 1,000 gallons	\$ 0.5280
Per acre foot	170.3200

SERVICE CHARGES

Establishment	\$ 25.00
Establishment (After hours)	40.00
Deposit (Residential)	(a)
Deposit (Non-Residential)	(a)
Deposit Interest	(b)
Re-establishment (Within 12 months)	(c)
Re-establishment (After Hours)	(c)
NSF Check	15.00
Deferred Payment, Per Month	1.50%
After-hours Service, Per Rule R14-2-603(D)	Refer to Above Charges
Service Line Connection Charge	350.00
Late Charge, Per Month	40.00
Main Extension Tariff, per rule R14-2-606(B)	Cost
except refunds shall be based upon five percent (5%) of gross revenues from bonafide customers, until all advances are fully refunded to Developer.	

- (a) Residential: two times the average bill
Non-Residential: two and one-half times the maximum monthly bill.
- (b) Interest per Rule R14-2-603(B)
- (c) Minimum charge times number of months off the system, per rule R14-2-603(D)

IN ADDITION TO THE COLLECTION OF REGULAR RATES, THE UTILITY WILL COLLECT FROM ITS CUSTOMERS ITS CUSTOMERS A PROPORTIONATE SHARE OF ANY PRIVILEGE, SALES, USE AND FRANCHISE TAX, PER RULE R14-2-608(D)(5).