

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2010 SEP 29 P 3:38

DOCKETED

AZ CORP COMMISSION
DOCKET CONTROL

SEP 29 2010

DOCKETED BY

IN THE MATTER OF THE APPLICATION
OF KOHL'S RANCH WATER COMPANY
FOR AN EMERGENCY RATE INCREASE.

Docket No. W-02886A-10-0369.

**CERTIFICATION OF PUBLIC
NOTICE**

Pursuant to the Procedural Order dated September 24, 2010, Kohl's Ranch Water Company (KRWC) hereby certifies that the public notice was mailed and posted in accordance with the Procedural Order as detailed below.

1. KRWC sent public notice to each of its customers, including the new owner of Kohl's Ranch Lodge, by First Class Mail on Friday, September 24, 2010.
2. KRWC posted public notice along the roadside of Buenagua Road, North of the intersection of Buenagua Road and University Drive on Monday, September 27, 2010 (see Exhibit A);
3. KRWC posted public notice along the roadside of Short Road, South of its intersection with Buenagua Road on Monday, September 27, 2010 (see Exhibit B);
4. KRWC posted public notice in the bulletin board, near the mailboxes located just outside the Tall Pines Market on Monday, September 27, 2010 (see Exhibit C); and
5. KRWC requested and obtained permission from the Kohl's Tonto Creek Subdivision Homeowners Association, Inc. to post the notice on their website located at <http://krhoa.com/>. Counsel confirmed that the public notice appeared on the website on Monday, September 27, 2010 (see Exhibit D).

¹ Counsel for KRWC spoke with Ms. Debbie Aschbrenner, owner of the Tall Pines Market regarding posting of notice at the Tall Pines Market. Ms. Aschbrenner indicated that she was unwilling to post notice within her store, but represented that the Bulletin Board located just outside the store and next to the mailboxes was routinely viewed by local residents and would be the most appropriate place to post notice.

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Dated this 29th day of September, 2010.

POLSINELLI SHUGHART PC

By: 
Margaret B. LaBianca
Maribeth M. Klein
One East Washington, Suite 1200
Phoenix, AZ 85004

ORIGINAL + 13 copies filed this 29th
day of September, 2010, with the
Arizona Corporation Commission

COPY mailed this same date to:

Nancy J. Stone, President
KOHL'S RANCH WATER COMPANY
c/o ILX Resorts Incorporated
2111 E. Highland Ave., Suite 200
Phoenix, AZ 85016
nstone2@ilxresorts.com

Janice Alward, Chief Counsel
Bridget Humphrey, Staff Attorney
Legal Division
ARIZONA CORPORATION
COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

Steve Olea, Director
Utilities Division
ARIZONA CORPORATION
COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

By: 

EXHIBIT A



**PUBLIC NOTICE OF THE
HEARING ON KOHL'S RANCH
WATER COMPANY'S
APPLICATION FOR AN
EMERGENCY RATE
INCREASE**

(Docket no. W-02886A-10-0369)

Kohl's Ranch Water Company (Kohl's Ranch) has applied to the Arizona Corporation Commission ("Commission") for an emergency rate increase. In its application, Kohl's Ranch has proposed a surcharge of \$36.00 per month to be paid by each residential customer and a surcharge of \$2,160.00 per month to be paid by Kohl's Ranch's single resort customer, Kohl's Ranch Lodge. Based on evidence presented at a hearing, the Commission will determine whether an emergency exists and whether an interim rate increase should be granted. The Commission may deny the request for an emergency rate increase or approve an interim rate increase either higher or lower than that requested by Kohl's Ranch.

The Commission will hold a public hearing on the application beginning November 3, 2010, at 9:00 a.m. in the 2nd Floor Conference Room at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

EXHIBIT B



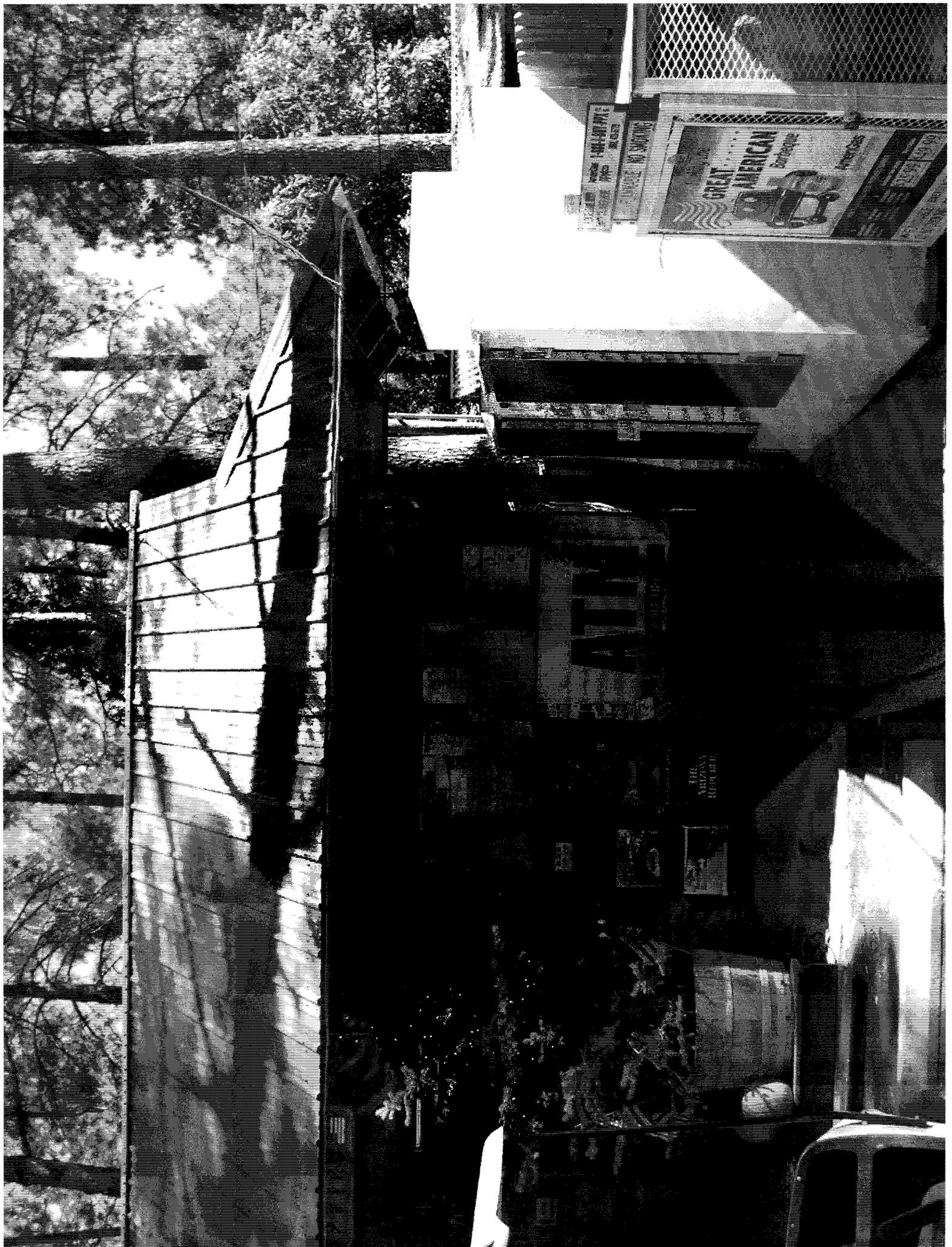
**PUBLIC NOTICE OF THE
HEARING ON KOHL'S RANCH
WATER COMPANY'S
APPLICATION FOR AN
EMERGENCY RATE
INCREASE**

(Docket no. W-02886A-10-0369)

Kohl's Ranch Water Company (Kohl's Ranch) has applied to the Arizona Public Service Commission ("Commission") for an emergency rate increase. In its application, Kohl's Ranch has proposed a surcharge of \$36.00 per month to be paid by each residential customer. The surcharge of \$2,160.00 per month to be paid by Kohl's Ranch's single resort customer, Kohl's Ranch Lodge. Based on evidence presented at a hearing, the Commission will determine whether an emergency exists and whether the interim rate increase should be granted. The Commission may deny the request for an emergency rate increase or approve an interim rate increase either higher or lower than that requested by Kohl's Ranch.

The Commission will hold a public hearing on the application beginning November 3, 2010, at 9:00 AM in the 2nd Floor Conference Room at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

EXHIBIT C



**PUBLIC NOTICE OF THE
HEARING ON KOHL'S RANCH
WATER COMPANY'S
APPLICATION FOR AN
EMERGENCY RATE
INCREASE**

(Docket no. W-02886A-10-0369)

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The Commission will hold a public hearing on the application beginning November 3, 2010, at 9:00 a.m. in the 2nd Floor Conference Room at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

Buyle's Fall

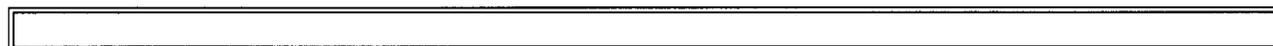
FALL FLING

EXHIBIT D



**Welcome to Kohls Tonto Creek Subdivision Homeowners
Association, Inc.**

This site was last updated on September 24 (Scroll Down)



**Articles of
Incorporation
Bylaws
Burn Pit
Classifieds
Dave's
Weather
Shack
Firewise/Fuel
Reduction
Grant
HOA Info
Meeting
Minutes
New
Resident Info
Real Estate
Stables Info**

**Link to
Facebook
Page**

**Link to Live
Web Cams**

**Link to
Payson
Roundup**

**Link to
Stories by**

Stan

[Skunk Spray Removal Recipe](#)

Water Company Rate Increase: Public Notice

[Link to all Documents](#)

PUBLIC NOTICE OF THE HEARING ON KOHL'S RANCH WATER COMPANY'S APPLICATION FOR AN EMERGENCY RATE INCREASE

(Docket no. W-02886A-10-0369)

Kohl's Ranch Water Company (Kohl's Ranch") has applied to the Arizona Corporation Commission ("Commission") for an emergency rate increase. In its application, Kohl's Ranch has proposed a surcharge of \$36.00 per month to be paid by each residential customer and a surcharge of \$2,160.00 per month to be paid by Kohl's Ranch's single resort customer, Kohl's Ranch Lodge. Based on evidence presented at a hearing, the Commission will determine whether an emergency exists and whether an interim rate increase should be granted. The Commission may deny the request for an emergency rate increase or approve an interim rate increase either higher or lower than that requested by Kohl's Ranch.

The Commission will hold a public hearing on the application beginning November 3, 2010, at 9:00 a.m. in the 2nd Floor Conference Room at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Customers may attend the hearing and make public comments and/or file written comments with the Commission. Written comments may be submitted by e-mail or by mailing a letter referencing Docket No. W-02886A-10-0369 to:

Arizona Corporation Commission
Consumer Services Section
1200 West Washington St.
Phoenix, AZ 85007

For a form to use and instructions on how to e-mail comments to the Commission, go to https://www.azcc.gov/divisions/utilitiestest/forms/public_comments.pdf. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or 602-542-4251.

Interested parties may intervene by filing a written motion to intervene with the Commission no later than October 21, 2010. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the commission's website at <https://www.azcc.gov/divisions/utilities/forms/intervene.pdf> or contact the Commission's Consumer Services Section at 1-800-222-7000 or 602-542-4251. Failure to intervene will not preclude a customer from appearing at the hearing and making a statement on the customer's own behalf.

The application and all filings are available on the Commission's website (www.azcc.gov) using the e-Docket function.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, and may request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, at SABernal@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodations.

Summer Meeting Photos



Have you Paid Your 2009-10 Dues?

Many neighbors have not yet paid their dues for this year.
Please forward your \$100 check, payable to KTCSHOA to:

Dave Midlick
10096 E. Circlestone Court
Gold Canyon, AZ. 85118

Longtime Resident Philip Liggett Passes Away

[Click Here](#) for more information

Longtime Resident Bennie Urrea Passes Away

[Click Here](#) for information

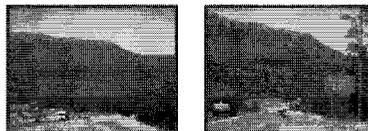
7/8 - Loch Ness in Tonto Creek?

It was gliding smoothly through the water...over three feet long...and feasting on a fish...was it Nessie?

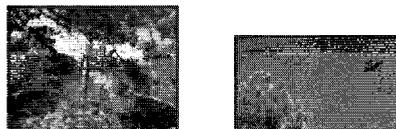


6/21 - Fire Near Kohls Ranch

Update 6/21 430PM - Fire almost out and no smoke visible. A helicopter with bucket has been dousing hot spots all day, refilling at the Indian Gardens water bladder. The following pictures were taken along Hwy 260 near the Paleo site and near the KR exit looking East. Puts in perspective how close this one was. The dark color is retardant released by the air tankers on Sunday.



Update 6/20 7PM - Smoke from the fire has decreased. Air tankers continue to operate and are flying right over Kohls Ranch. Ground crews still working the area. APS crews now onsite as fire is near the main power lines. The winds we had today have decreased dramatically and should help in the effort.



6/20 3:30PM - A fire is burning approximately one mile NE of Kohls Ranch and is visible from KR and Hwy 260. Air tankers and

helicopters with buckets are currently fighting the blaze; ground crews are hiking to the area.



4/26 - New Website for Christopher Creek Activities

<http://www.christophercreekloop.com>

4/15 - Christopher Kohl Fire Dept. New Rating

**The ISO Grade has been improved from 8B/10 to 6/8B.
[Read about it here.](#)**

3/22 - Star Valley Adding New Speed Cameras

[Read about it here.](#)

3/18 - Diamond Resorts Acquires Lodge

[Read about it here.](#)

Pony Rides Offered by Lodge - [Click here for details](#)

Tonto Creek Pollution [Click Here](#)

12/09/08 - **Click [here](#) for information regarding ASU sale of Tontozona.**

Click [here](#) for Addendum to ASU Request for Proposal

Click [here](#) for Site Plan of Proposed Sale land

Kohls Ranch Receives 2009 Firewise Designation!

SNOW / RAIN / SUNSHINE???

The webcam at [Forest Lakes](#) give a glimpse of the current conditions.

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