

ORIGINAL



0000118536

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

2010 OCT -1 P 1:37

AZ CORP COMMISSION
DOCKET CONTROL

- 1
- 2 KRISTIN K. MAYES
CHAIRMAN
- 3 GARY PIERCE
COMMISSIONER
- 4 SANDRA D. KENNEDY
COMMISSIONER
- 5 PAUL NEWMAN
COMMISSIONER
- 6 BOB STUMP
COMMISSIONER
- 7

8 IN THE MATTER OF THE APPLICATION OF
 9 ARIZONA-AMERICAN WATER COMPANY,
 10 AN ARIZONA CORPORATION, FOR A
 11 DETERMINATION OF THE CURRENT FAIR
 12 VALUE OF ITS UTILITY PLANT AND
 PROPERTY AND FOR INCREASES IN ITS
 RATES AND CHARGES BASED THEREON
 FOR UTILITY SERVICE BY ITS ANTHEM
 WATER DISTRICT AND ITS SUN CITY
 WATER DISTRICT.

Docket No. W-01303A-09-0343

13 IN THE MATTER OF THE APPLICATION OF
 14 ARIZONA-AMERICAN WATER COMPANY,
 15 AN ARIZONA CORPORATION, FOR A
 16 DETERMINATION OF THE CURRENT FAIR
 17 VALUE OF ITS UTILITY PLANT AND
 18 PROPERTY AND FOR INCREASES IN ITS
 RATES AND CHARGES BASED THEREON
 FOR UTILITY SERVICE BY ITS
 ANTHEM/AGUA FRIA WASTEWATER
 DISTRICT, ITS SUN CITY WASTEWATER
 DISTRICT AND ITS SUN CITY WEST
 WASTEWATER DISTRICT.

Docket No. SW-01303A-09-0343

Arizona Corporation Commission
DOCKETED

OCT 1 2010

DOCKETED BY *mm*

**RUCO'S NOTICE OF FILING
WITHDRAWAL OF PHASE-IN PROPOSAL**

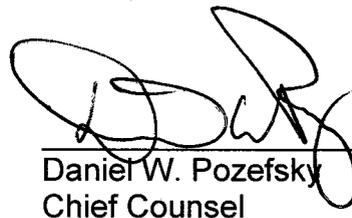
- 19
- 20
- 21
- 22
- 23
- 24

67

1 The Residential Utility Consumer Office ("RUCO") hereby provides notice of filing of the
2 withdrawal of its proposed phase-in proposal. In its Closing Brief ("Brief"), RUCO expressed
3 concerns about the impact on the Anthem ratepayers that would result should the Commission
4 allow full and immediate recovery of the \$22 million Pulte refunds that are the subject of this
5 case. Brief at 41 – 43. RUCO had proposed an alternate phase-in rate design proposal which
6 would allow for recovery of the refunds over a 10-year period of time. In making this proposal
7 RUCO initially believed it would provide a rate design option that would ameliorate the impact
8 of the rate increase for Anthem ratepayers.

9 Subsequent to filing its Closing Brief, RUCO invited interested parties to go over the
10 relevant numbers. During the course of these meetings, it became apparent to RUCO that due
11 to carrying costs and other costs that allow the Company full recovery of its revenue
12 requirement, no version of RUCO's proposal, or modification to it, would actually result in a
13 rate design more beneficial to Anthem ratepayers than RUCO's stand-alone rate design.
14 Accordingly, RUCO withdraws its alternate phase-in proposal.

15 RESPECTFULLY SUBMITTED this 1st day of October, 2010.

16
17
18
19

Daniel W. Pozefsky
Chief Counsel

20 AN ORIGINAL AND THIRTEEN COPIES
21 of the foregoing filed this 1st day
of October, 2010 with:

22 Docket Control
23 Arizona Corporation Commission
1200 West Washington
24 Phoenix, Arizona 85007

1 COPIES of the foregoing hand delivered/
mailed or emailed this 1st day of October, 2010 to:

2 Teena Wolfe
3 Administrative Law Judge
Hearing Division
4 Arizona Corporation Commission
1200 West Washington
5 Phoenix, Arizona 85007

6 Janice Alward, Chief Counsel
Legal Division
7 Arizona Corporation Commission
1200 West Washington
8 Phoenix, Arizona 85007

9 Steve Olea, Director
Utilities Division
10 Arizona Corporation Commission
1200 West Washington
11 Phoenix, Arizona 85007

12 Thomas H. Campbell
Michael T. Hallam
13 Lewis and Roca LLP
40 North Central Avenue, Suite 1900
14 Phoenix, AZ 85004

15 Judith M. Dworkin
Sacks Tierney PA
16 4250 N. Drinkwater Blvd., 4th Floor
Scottsdale, AZ 85251-3693

17 Lawrence V. Robertson, Jr.
18 P.O. Box 1448
Tubac, AZ 85646-1448

19 Larry D. Woods, President
20 Property Owners and Residents Assoc.
13815 East Camino Del Sol
21 Sun City West, AZ 85375

22 W. R. Hansen
12302 West Swallow Drive
23 Sun City West, AZ 85375

24

Greg Patterson
916 W. Adams, Suite 3
Phoenix, AZ 85007

Jeff Crockett, Esq.
Robert Metli, Esq.
SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren Street
Phoenix, Arizona 85004-2202

Bradley J. Herrema
BHerrema@BHFS.com
Brownstein Hyatt Farber Schreck, LLP
21 East Carrillo Street
Santa Barbara, CA 93101

Andrew M. Miller
Town of Paradise Valley
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Marshall Magruder
P. O. Box 1267
Tubac, AZ 85646-1267

By 
Ernestine Gamble