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AZ CORP COMMISSION  
DOCKET CONTROL

1 FENNEMORE CRAIG, P.C.  
Patrick J. Black (No. 017141)  
2 Jennifer N. Benoit (No. 026197)  
3003 N. Central Ave.  
3 Suite 2600  
Phoenix, Arizona 85012  
4 Attorneys for H2O, Inc.

**BEFORE THE ARIZONA CORPORATION COMMISSION**

6 IN THE MATTER OF THE APPLICATION  
7 OF H2O, INC. FOR AN EXTENSION OF  
8 ITS CERTIFICATE OF CONVENIENCE  
9 AND NECESSITY TO PROVIDE WATER  
SERVICE IN PINAL COUNTY, ARIZONA.

DOCKET NO: W-02234A-07-0371

**NOTICE OF COMPLIANCE WITH  
DECISION NO. 70207**

10 H2O, Inc. ("H2O" or "Company") hereby submits this Notice of Compliance  
11 pursuant to Decision No. 70207 (March 20, 2008) ("Order"). The Order requires the  
12 Company to file the Arizona Department of Environmental Quality Approval to Construct  
13 for the residential parcel of its Certificate of Convenience and Necessity located in Pinal  
14 County, Arizona.

15 Attached hereto as Exhibit 1 is the Certificate of Approval to Construct, with  
16 extensions, issued by the Arizona Department of Environmental Quality on March 27,  
17 2008.

18 RESPECTFULLY SUBMITTED this 18<sup>th</sup> day of March, 2011.

FENNEMORE CRAIG, P.C.

20  
21 By

Patrick J. Black  
Jennifer N. Benoit  
3003 North Central Avenue, Suite 2600  
Phoenix, Arizona 85012  
Attorneys for H2O, Inc.

22 Arizona Corporation Commission  
23 DOCKETED

24 MAR 18 2011

25 DOCKETED BY

1 **ORIGINAL** and thirteen (13) copies  
2 of the foregoing were filed  
3 this ~~8<sup>th</sup>~~ day of March, 2011 with:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 West Washington  
6 Phoenix, Arizona 85007

5 **COPY** was hand-delivered  
6 this ~~8<sup>th</sup>~~ day of March, 2011 to:

7 Janice Alward, Chief Legal Counsel  
8 Legal Division  
9 Arizona Corporation Commission  
10 1200 West Washington  
11 Phoenix, Arizona 85007

10 Steve Olea, Director  
11 Utilities Division  
12 Arizona Corporation Commission  
13 1200 W. Washington  
14 Phoenix, Arizona 85007

13 Brian Bozzo, Compliance  
14 Utilities Division  
15 Arizona Corporation Commission  
16 1200 W. Washington  
17 Phoenix, Arizona 85007

16 Carmel Hood, Compliance  
17 Utilities Division  
18 Arizona Corporation Commission  
19 1200 W. Washington  
20 Phoenix, Arizona 85007

19 By: 

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22 2404512.1/46327.001

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26

# **EXHIBIT**

**1**



ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY  
 CERTIFICATE OF APPROVAL TO CONSTRUCT  
 WATER FACILITIES

ADEQ File No: 20080174	LTF No: 47094
System Name: H2O Water Company, Inc.	System Number: 11060
Project Owner: H2O Water Company, Inc.	
Address: 41520 N. Schnepf Road, Queen Creek, AZ 85240	
Project Location: Queen Creek	County: Pinal
Description: CONSTRUCT APPROX. 1,250 L.F 8-INCH PVC LINE, ONE FIRE HYDRANT AND OTHER APPURTENANCES FOR COYOTE ROAD WATERLINE MAIN EXTENSION.	

*Approval to construct the above-described facilities as represented in the approved documents on file with the Arizona Department of Environmental Quality is hereby given subject to provisions 1 through 5 continued on page 2 through 2*

1. This project must be constructed in accordance with all applicable laws, including Title 49, Chapter 2, Article 9 of the Arizona Revised Statutes and Title 18, Chapter 5, Article 5 of the Arizona Administrative Code.
2. Upon completion of construction, the engineer shall fill out the Engineer's Certificate of Completion and forward it to the Central Regional Office located in Phoenix. If all requirements have been completed, that unit will issue a Certificate of Approval of Construction. R18-5-507(B), Ariz. Admin. Code. At the project owner's request, the Department may conduct the final inspection required pursuant to R18-5-507(B); such a request must be made in writing in accordance with the time requirements of R18-5-507(C), Ariz. Admin. Code.
3. This certificate will be void if construction has not started within one year after the Certificate of Approval to Construct is issued, there is a halt in construction of more than one year, or construction is not completed within three years of the approval date. Upon receipt of a written request for an extension of time, the Department may grant an extension of time; an extension of time must be in writing. R18-5-505(E), Ariz. Admin. Code.
4. Operation of a newly constructed facility shall not begin until a Certificate of Approval of Construction has been issued by the Department. R18-5-507(A), Ariz. Admin. Code.

Reviewed by: FKK

By: *Kwame Agyare* 3/27/08  
 Kwame A. Agyare, P.E. Date  
 Manager, Drinking Water and  
 Wastewater Engineering Review  
 Water Quality Division

cc: File No : 20080174  
 Regional Office: Central  
 Owner: H2O Water Company, Inc.  
 County Health Department: Pinal  
 Engineer: H2O Water Inc.  
 Planning and Zoning/Az Corp. Commission  
 Engineering Review Database - Etr021



Janice K. Brewer  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007  
(602) 771-2300 • www.azdeq.gov



Patrick J. Cunningham  
Acting Director

May 19, 2009

Donald Schnepf  
H2O, Inc.  
41502 N. Schnepf Road  
Queen Creek, AZ 85242

Re: Coyote Road 8" Waterline Main  
Time Extension for Approval to Construct (ATC)  
ADEQ File No. 20080174  
LTF #50089

Dear Mr. Schnepf:

Your request dated May 12, 2009 for a time extension of the above referenced ATC is approved and the time limit to begin construction is extended up to March 27, 2010. All the work should be consistent with the plans and specifications approved by ADEQ and the approval certificate issued on March 27, 2008. Please be advised that time extensions are not automatic or certain. If this time extension approval expires, a new ATC may be required to be obtained.

If you have any questions, please call (602) 771-4677.

Sincerely,

Janak Desai, P.E., Manager  
Drinking Water Facilities Review Unit  
Engineering Review Section

JD:ce

cc: Steve Bargeloh, D & M Engineering 1833 W. Main St. #141 Mesa, AZ 85201

Northern Regional Office  
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001  
(928) 779-0313

Southern Regional Office  
400 West Congress Street • Suite 433 • Tucson, AZ 85701  
(520) 628-6733



Janice K. Brewer  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007  
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Patrick J. Cunningham  
Acting Director

March 31, 2010

Donald Schnepf  
H2O, Inc.  
41502 N. Schnepf Road  
Queen Creek, AZ 85242

Re: Coyote Road 8" Waterline Main  
Time Extension for Approval to Construct (ATC)  
ADEQ File No. 20080174  
New LTF #52380

Dear Mr. Schnepf:

Your request dated March 29, 2010 for a time extension of the above referenced ATC is approved and the time limit to begin construction is extended up to March 27, 2011. All the work should be consistent with the plans and specifications approved by ADEQ and the approval certificate issued on March 27, 2008. Please be advised that time extensions are not automatic or certain. If this time extension approval expires, a new ATC may be required to be obtained.

If you have any questions, please call (602) 771-4677.

Sincerely,

Janak Desai, P.E., Manager  
Drinking Water Facilities Review Unit  
Engineering Review Section

JD:ce

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