

ORIGINAL



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HEARING DIVISION PROPOSED AMENDMENT # 1

RECEIVED

TIME/DATE PREPARED: May 19, 2011, 10:00 a.m.

2011 MAY 19 A 10-24  
COMPANY: Rigby Water Company

AGENDA ITEM NO.: U-17

DOCKET NO.: W-01808A-10-0390

OPEN MEETING: DATE: May 24 and 25, 2011

DOCKET CONTROL

Page 6, Line 19:

INSERT new Findings of Fact No. 29 as follows:

“29. On May 18, 2011, in a Joint Exception to the Recommended Opinion and Order issued on May 9, 2011, Rigby and the Estate informed the Commission that the City finds Staff’s second recommended condition acceptable.”

Page 12, Line 17:

INSERT after existing language:

“In a Joint Exception to the Recommended Opinion and Order, Rigby and the Estate informed the Commission that the City finds Staff’s second recommended condition acceptable.”

Page 13, Lines 13 through 20:

DELETE existing Findings of Fact No. 56.

INSERT new Findings of Fact as follows:

“57. Staff’s recommendations set forth in Findings of Fact No. 54\* are reasonable and appropriate, and we will adopt them.”

Page 14, Lines 3 and 4:

DELETE existing Conclusions of Law No. 6.

INSERT new Conclusions of Law No. 6 as follows:

“6. Staff’s recommendations set forth in Findings of Fact No. 54 are reasonable and appropriate and should be adopted.”

Arizona Corporation Commission

DOCKETED

MAY 19 2011

DOCKETED BY

\*The insertion of a new Findings of Fact No. 29 causes renumbering that moves Staff’s recommendations from Findings of Fact No. 53 to Findings of Fact No. 54. This footnote is to clarify the numbering used in this amendment and is not to be made part of the Decision.

<b>THIS AMENDMENT:</b>		
_____ Passed _____	Passed as amended by _____	
_____ Failed _____	_____ Not Offered _____	_____ Withdrawn _____

Page 14, Line 6:

DELETE "as described in Findings of Fact No. 56."

INSERT "subject to the conditions set forth in Findings of Fact No. 54."

Page 14, Line 11:

DELETE "condition in the following ordering paragraph"

INSERT "conditions in the following ordering paragraphs"

Page 15, Lines 1 through 6:

DELETE existing ordering paragraph.

INSERT new ordering paragraphs as follows:

"IT IS FURTHER ORDERED that Rigby Water Company shall file with the Commission's Docket Control, within 180 days after the effective date of this Decision, as a compliance item in this docket, copies of the Maricopa County Superior Court order transferring ownership of Rigby Water Company's assets to the City of Avondale and documentation of payment in full to the Estate of Charles J. Dains of the amount set forth in Decision No. 72252.

IT IS FURTHER ORDERED that cancellation of Rigby Water Company's Certificate of Convenience and Necessity shall be considered null and void, after due process, should Rigby Water Company fail to meet the condition set forth above within the specified time."

Make all conforming changes.

<b>THIS AMENDMENT:</b>		
_____ Passed _____	Passed as amended by _____	
_____ Failed	_____ Not Offered	_____ Withdrawn