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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE, Chairman
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AZ CORP COMMISSION
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Arizona Corporation Commission

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JUN 1 2011

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IN THE MATTER OF THE APPLICATION OF
COMMUNITY WATER OF GREEN VALLEY
FOR APPROVAL OF A SURCHARGE FOR
IMPLEMENTATION OF ITS PROPOSED BEST
MANAGEMENT PRACTICES.

DOCKET NO. W-02304A-10-0220

NOTICE OF FILING
AMENDED PROPOSED BEST
MANAGEMENT PRACTICES

Community Water Company of Green Valley ("CWCGV" or "Company") submits amended proposed Best Management Practices ("BMPs"). The Company requests these amended BMPs replace the original proposed BMPs and that the Commission approve the proposed BMPs attached to this pleading.

By way of background, CWCGV submitted its original proposed BMPs on June 2, 2010, for Commission consideration in accordance with Decision No. 71478 (February 3, 2010). That decision required the Company to submit five BMPs, of which two could be from the "Public Awareness" or "Education and Training" categories. In compliance with that decision, the Company submitted the following BMPs:

- 2.1 – Adult Education and Training Programs
- 2.3 – New Homeowner Landscape Information
- 4.1 – Leak Detection Program
- 7.3 – Evaluate New and Emerging Technologies and Practices
- 7.6 – Development of Industry Partnerships

The Company also requested a "conservation" surcharge of \$1.00 per-month for each customer to implement the proposed BMPs, specifically to implement its then-proposed leak detection program and move toward identifying best practices and technologies to identify and repair leaks.

ROSHKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Since that time, the Company has had several discussions with Staff and has provided
2 several responses to data requests from Staff. The Company also reviewed the BMP templates
3 now available on the Commission's website (these were not available at the time the Company
4 filed its Application in this docket). Based on all of these factors, the Company seeks to amend its
5 proposal.

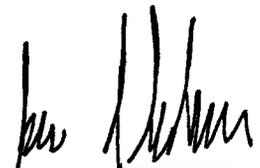
6 Therefore, CWCGV submits amended proposed BMPs for Commission consideration that
7 are attached as Exhibit 1 and include the following BMPs:

- 8 2.1 – Adult Education.
- 9 2.3 – New Homeowner Landscape Information.
- 10 5.2 – Water System Tampering.
- 11 7.3 – Evaluation of New and Emerging Technologies and Practices.
- 12 7.6 – Development of Industry Partnerships.

13 The language of the Company's amended proposed BMPs attached to this pleading is the
14 same as the templates on the Commission's website. In short, the Company is replacing BMP 4.1
15 with BMP 5.2 and adopting Staff's language for all five amended proposed BMPs as stated in the
16 templates available at <http://www.azcc.gov/divisions/utilities/water/forms.asp> (as of May 25,
17 2011). The Company is also withdrawing its "conservation surcharge" proposal.

18 The Company requests that the Commission approve these amended proposed BMPs
19 without any surcharge.

20 RESPECTFULLY SUBMITTED this 1st day of June, 2011.

21
22
23 By 
24 Jason D. Gellman
25 ROSHKA DEWULF & PATTEN, PLC.
26 One Arizona Center
27 400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004

- 1 Original and thirteen copies of the foregoing
filed this 1st day of June, 2011, with:
- 2
- 3 Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
4 Phoenix, Arizona 85007
- 5 Copy of the foregoing hand-delivered
this 1st day of June, 2011 to:
- 6
- 7 Lyn A. Farmer, Esq.
Chief Administrative Law Judge
Hearing Division
8 Arizona Corporation Commission
1200 West Washington Street
9 Phoenix, Arizona 85007
- 10 Janice Alward, Esq.
Chief Counsel, Legal Division
11 Arizona Corporation Commission
1200 West Washington Street
12 Phoenix, Arizona 85007
- 13 Steve Olea
Director, Utilities Division
14 Arizona Corporation Commission
1200 West Washington Street
15 Phoenix, Arizona 85007
- 16 Brian Bozzo
Compliance Manager, Utilities Division
17 Arizona Corporation Commission
1200 West Washington Street
18 Phoenix, Arizona 85007
- 19 Arturo R. Gabaldon
20 President
Community Water Company of Green Valley
21 1501 South La Canada
Green Valley, AZ 85614-1600
- 22
- 23
- 24 By *Mebbie Arnold*
- 25
- 26
- 27

Exhibit

"1"

Company: Community Water Company of Green Valley

Decision No.: _____

Phone: (520) 625-8409

Effective Date: _____

Adult Education and Training Programs Tariff – BMP 2.1

PURPOSE

A program for the Company to implement adult education and training programs which promote water conservation and the need to conserve (Modified Non-Per Capita Conservation Program BMP Category 2: Conservation Education and Training 2.1: Adult Education and Training Programs).

REQUIREMENTS

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission and were adapted from the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. Programs shall include a combination of efforts to provide adults within the Company's service area with hands-on training. This shall include free workshops (held at least twice annually) that emphasize water efficient outdoor landscaping for homeowners and landscape professionals. Programs shall target homeowners, landscape professionals and non-residential users in the Company's service area.
2. The Company shall make available at no charge to its customers free pamphlets covering water conservation, reclaimed water, leak detection, irrigation, landscape design and low water use plants. This literature shall be available at Company offices during regular business hours, at model home sites, libraries, chambers of commerce, at the Company provided workshops, and at community events.
3. The Company shall make available Self-Audit Kits and Guides for homeowners in its service area.
4. The Company shall keep a record of the following information and make it available to the Commission upon request.
 - a. A description of the adult conservation education process implemented.
 - b. The number of customers reached (or an estimate).
 - c. A description of the written material and hands-on training provided free to customers.
 - d. Implementation costs of the adult education and training programs.

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New Homeowner Landscape Information Tariff – BMP 2.3

PURPOSE

A program for the Company to promote the conservation of water by providing a landscape information package for the purpose of educating its new customers about low water use landscaping (Modified Non-Per Capita Conservation Program BMP Category 2: Conservation Education and Training 2.3: New Homeowner Landscape Information).

REQUIREMENTS:

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission and were adapted from the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. Upon establishment of water service the Company shall provide a free "Homeowner Landscape Packet" to each new customer in the Company's service area. The packet will include at a minimum: a cover letter describing the water conservation expectations for all customers in the Company's service area, all applicable tariffs, a basic interior-exterior water saving pamphlet, xeriscape landscape information, and information on where to find low water use plant lists, watering guidelines, and a rain water harvesting pamphlet.
2. Upon customer request, the Company shall provide:
 - a. On-site consultations on low water use landscaping and efficient watering practices.
 - b. A summary of water saving options.
3. The number of packets provided to new customers will be recorded and made available to the Commission upon request.

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WATER SYSTEM TAMPERING TARIFF – BMP 5.2

PURPOSE

The purpose of this tariff is to promote the conservation of groundwater by enabling the Company to bring an action for damages or to enjoin any activity against a person who tampers with the water system.

REQUIREMENTS:

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission, specifically AAC R14-2-403 and R14-2-410 and the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. In support of the Company's water conservation goals, the Company may bring an action for damages or to enjoin any activity against a person who: (1) makes a connection or reconnection with property owned or used by the Company to provide utility service without the Company's authorization or consent; (2) prevents a Company meter or other device used to determine the charge for utility services from accurately performing its measuring function; (3) tampers with property owned or used by the Company; or (4) uses or receives the Company's services without the authorization or consent of the Company and knows or has reason to know of the unlawful diversion, tampering or connection. If the Company's action is successful, the Company may recover as damages three times the amount of actual damages.
2. Compliance with the provisions of this tariff will be a condition of service.
3. The Company shall provide to all its customers a complete copy of this tariff and all attachments. The customers shall follow and abide by this tariff.
4. If after a customer has been connected to the Company water system, the Company discovers that the customer has taken action(s) contrary to the above requirements, the Company shall notify (in writing) the customer of such violation and provide the customer with the appropriate educational materials informing the customer of some possibilities of how to correct the problem. The customer shall be allowed sixty (60) days to come into compliance with the above requirements. If after sixty (60) days the customer is not in compliance with the above requirements, the customer's service may be terminated per Arizona Administrative Code R14-2-410C, R14-2-410D and R14-2-410E.

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5. If a customer believes he/she has been disconnected in error, the customer may contact the Commission's Consumer Services Section at 1-800-222-7000 to initiate an investigation.

Template

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Evaluation of New and Emerging Technologies and Practices Tariff **– BMP 7.3**

PURPOSE

A program for the Company to evaluate new and emerging technologies and practices that promote the conservation of water (Modified Non-Per Capita Conservation Program BMP Category 7: Research/Innovation Program 7.3: Evaluation of New and Emerging Technologies and Practices).

REQUIREMENTS

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission and were adapted from the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. The Company shall evaluate new technologies and practices that promote the conservation of water to determine the economic and technical feasibility of implementing these new technologies and practices in its service area.
2. The Company shall remain current on new products, advice, and innovations through on-going communication with manufacturers of state of the art water conservation technologies, other water providers, landscape watering equipment providers and landscape providers and experts.
3. Prior to evaluating a new technology or practice the Company shall file a detailed explanation with the Commission describing how the evaluation would work, the possible results and expected costs.
4. At minimum, one new evaluation shall be proposed every three years for Commission approval.
5. If the evaluation is approved by the Commission the Company shall submit with the Commission Docket Control on an annual basis, documentation stating the objectives of the evaluation, methods used to conduct the evaluation, results of the investigation, plans for implementation and any other information the Commission requests. A report for each calendar year reporting period will be due January 31 of the following year.

Company: Community Water Company of Green Valley

Decision No.: _____

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Development of Industry Partnerships Tariff – BMP 7.6

PURPOSE

A program for the Company to encourage and implement collaborative efforts and activities to conserve and promote the conservation of water (Modified Non-Per Capita Conservation Program BMP Category 7: Research/Innovation Program 7.6: Development of Industry Partnerships).

REQUIREMENTS

The requirements of this tariff are governed by Rules of the Arizona Corporation Commission and were adapted from the Arizona Department of Water Resources' Required Public Education Program and Best Management Practices in the Modified Non-Per Capita Conservation Program.

1. The Company shall encourage and implement collaborative efforts and activities with community/industry partners to conserve and promote the conservation of water.
2. The Company shall remain current on new products, advice, and innovations through on-going communication with manufacturers of state of the art water conservation technologies, other water providers, landscape watering equipment providers and landscape providers and experts. Communications with partners will take place through the internet, phone calls, trade shows and face-to-face contact.
3. Prior to implementing a new partnership the Company shall file a detailed explanation with the Commission describing how the partnership would work, the possible results and expected costs.
4. At minimum, one new partnership shall be proposed every three years for Commission approval.
5. If the partnership is approved by the Commission the Company shall submit with the Commission Docket Control on an annual basis, documentation describing the partnership, its objectives, its ongoing efforts and any efforts planned for the future, and provide any other information the Commission requests. A report for each calendar year reporting period will be due January 31 of the following year.