

OPEN MEETING ITEM



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COMMISSIONERS
GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

ORIGINAL



ARIZONA CORPORATION COMMISSION

EXECUTIVE DIRECTOR
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Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION
DOCKET CONTROL

JUN 2 2011

DATE: JUNE 2, 2011

DOCKET NO.: W-02237A-08-0455

DOCKETED BY

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Belinda A. Martin. The recommendation has been filed in the form of an Order on:

ORANGE GROVE WATER COMPANY, INC.
(EXTENSION TIME DEADLINE
CONTAINED IN DECISION NO. 71110)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

JUNE 13, 2011

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

JUNE 21, 2011 and JUNE 22, 2011

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 GARY PIERCE, Chairman
4 BOB STUMP
5 SANDRA D. KENNEDY
6 PAUL NEWMAN
7 BRENDA BURNS

8 IN THE MATTER OF THE APPLICATION OF
9 ORANGE GROVE WATER COMPANY, INC. FOR
10 A PERMANENT RATE INCREASE.

DOCKET NO. W-02237A-08-0455

DECISION NO. _____

ORDER EXTENDING TIME
DEADLINE CONTAINED IN
DECISION NO. 71110

11 Open Meeting
12 June 21 and 22, 2011
13 Phoenix, Arizona

14 **BY THE COMMISSION:**

15 Having considered the entire record herein and being fully advised in the premises, the
16 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

17 **FINDINGS OF FACT**

18 1. On June 5, 2009, the Commission issued Decision No. 71110, granting Orange Grove
19 Water Company, Inc. ("Orange Grove" or "Company"), a rate increase.

20 2. In that Decision, the Commission directed Orange Grove as follows:

21 IT IS FURTHER ORDERED that Orange Grove Water Company, Inc., shall file
22 with Docket Control, as a compliance item in this docket, no later than June 30,
23 2010, a Certificate of Approval to Construct the 60,000 gallons of water storage
24 capacity and shall file no later than December 31, 2010, a Certificate of Approval
25 of Construction of the 60,000 gallons of water storage capacity.

26 3. On June 29, 2010, Orange Grove filed a request to extend the deadline to file the
27 Approval to Construct ("ATC") because there had been delays in completing the ADEQ application.
28 The Company requested an extension to September 30, 2010, to file the ATC.

1 On September 30, 2010, Orange Grove filed additional correspondence stating that the
2 ADEQ engineer with whom the Company has been working advised the Company that he would not
3 be able to meet the September 30, 2010, ATC deadline. Accordingly, Orange Grove requested an
4 extension to November 30, 2010, to file the ATC.

1 request for extension for time to comply with Commission Decision No. 71110.

2 3. Staff's recommendation is reasonable and should be adopted.

3 **ORDER**

4 IT IS THEREFORE ORDERED that Orange Grove Water Company, Inc.'s request for
5 extension of time to comply with Decision No. 71110 is granted, extending the compliance deadline
6 for filing the approval of construction to December 30, 2011.

7 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

8 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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11 CHAIRMAN

COMMISSIONER

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13 COMMISSIONER

COMMISSIONER

COMMISSIONER

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ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

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DISSENT _____

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DISSENT _____

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SERVICE LIST FOR: ORANGE GROVE WATER COMPANY, INC.

DOCKET NO.: W-02237A-08-0455

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