

**ORIGINAL**

Vail Water Company  
1010 N. Finance Center Drive, suite 200  
Tucson, AZ. 85710



**Re: Decision No. 62450 Docket W-01651B-99-0351  
request for an extension of time**

June 30, 2011

Mr. Brian Bozzo  
Compliance and Enforcement Manager  
Utilities Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, AZ 85007

Arizona Corporation Commission  
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In the above referenced Decision, Finding of Fact 25(f) orders that:

**“Final Plans for direct use of CAP water within Vail’s service territory are to be submitted to the commission no later than December 31, 2010.”**

The reasons for this request are because there wasn’t a solution available to Vail Water Company (VWC) users until recently when Tucson Water started working with Oro Valley on its first “Wheeling Agreement”. That agreement, which went to City Council on June 28, 2011 was to provide the template for future Wheeling Agreements with other providers such as Vail. There is no direct delivery option available to Vail other than this. Vail’s recharge facility is in Marana, some 25 miles away. The Tucson area has virtually no direct CAP usage other than Tucson Water. That is why for the last 10 years Vail has researched different alternatives but always came back to the Wheeling Agreement being the only viable alternative. Until recently, Tucson Water did not entertain such agreements. Oro Valley is the first, which took a year to negotiate and is just now being considered for approval.

VWC has worked diligently toward compliance. Once Oro Valley is approved, the final plan for VWC should come shortly thereafter. VWC will immediately begin negotiations with Tucson Water. I have provided Brian Bozzo, in correspondence dated June 28, 2011, back-up material showing VWC efforts to secured a Wheeling Agreement, including emails to and from various officers of Tucson Water as well as a draft of Tucson Water’s Wheeling Agreement with Oro Valley.

VWC is requesting an extension on the above requirement for Final Plans until November 30, 2011, taking into consideration that any agreement must be approved by Tucson Mayor and Council.

VWC is committed to direct delivery of CAP to its users. Thank you for your consideration

Sincerely,

Christopher T. Volpe  
Vice President

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Cc: Carmel Hood-ACC