

ORIGINAL



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RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

GARY PIERCE  
Chairman

2011 AUG 19 P 3:09

BOB STUMP  
Commissioner

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
**DOCKETED**

AUG 19 2011

PAUL NEWMAN  
Commissioner

DOCKETED BY

SANDRA D. KENNEDY  
Commissioner

BRENDA BURNS  
Commissioner

IN THE MATTER OF THE APPLICATION )  
OF ARIZONA-AMERICAN WATER )  
COMPANY FOR A WAIVER UNDER )  
A.A.C. R14-2-806 OR, IN THE )  
ALTERNATIVE, NOTICE OF INTENT TO )  
REORGANIZE UNDER A.A.C. R14-2-803 )

DOCKET NO. W-01303A-11-0101  
**NOTICE OF FILING  
CERTIFICATION OF MAILING**

Arizona-American Water Company files the attached Affidavit in relation to the public notice required by the August 3, 2011 Procedural Order.

RESPECTFULLY SUBMITTED this 19th day of August, 2011.

LEWIS AND ROCA LLP

Thomas H. Campbell  
Michael T. Hallam  
40 North Central Avenue  
Phoenix, AZ 85004  
Attorneys for Arizona-American Water Company

ORIGINAL and thirteen (13) copies of the foregoing filed this 19th day of August, 2011, with:

The Arizona Corporation Commission  
Utilities Division – Docket Control  
1200 W. Washington Street  
Phoenix, Arizona 85007

Copy of the foregoing hand-delivered this 19th day of August, 2011, to:

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Steve Olea  
Utilities Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Teena Jibilian, Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Charles Hains  
Legal Department  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Copy of the foregoing mailed  
this 19th day of August, 2011, to:

Daniel Pozefsky  
Michelle Wood  
RUCO  
1110 W. Washington, Suite 220  
Phoenix, AZ 85007

Robert Rials, President  
Corte Bella Country Club  
Association, Inc.  
22155 N. Mission Drive  
Sun City, AZ 85375

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Fennemore Craig, PC  
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Phoenix, AZ 85012

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Town Attorney  
Town of Paradise Valley  
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Paradise Valley, AZ 85253

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Anthem, AZ 85086

1 Michael D. Bailey  
2 James Gruber  
3 Surprise City Attorney's Office  
4 16000 N. Civic Center Plaza  
5 Surprise, AZ 85374

6 Jayne Williams  
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1 BEFORE THE ARIZONA CORPORATION COMMISSION

2 GARY PIERCE  
Chairman

3 BOB STUMP  
4 Commissioner

5 PAUL NEWMAN  
Commissioner

6 SANDRA D. KENNEDY  
7 Commissioner

8 BRENDA BURNS  
Commissioner

9 IN THE MATTER OF THE APPLICATION  
10 OF ARIZONA-AMERICAN WATER  
11 COMPANY FOR A WAIVER UNDER  
12 A.A.C. R14-2-806 OR, IN THE  
ALTERNATIVE, NOTICE OF INTENT TO  
REORGANIZE UNDER A.A.C. R14-2-803

} DOCKET NO. W-01303A-11-0101

13 **Affidavit of Barry Pawelek**

14 1. My name is Barry Pawelek, and I am employed by American Water  
15 as the Customer Communications Manager for its Western Division. My business address  
16 is American Water, 9514 Blue Heron Drive, Middleton WI 53562.

17 2. I am submitting this affidavit on behalf of Arizona-American Water  
18 Company ("Arizona-American"), the applicant in the above-captioned docket. Arizona-  
19 American is also part of American Water's Western Area.

20 3. As part of my job duties, I supervised the provision of the customer  
21 notice required by the Procedural Order dated August 3, 2011 (the "Notice"), a copy of  
22 which is attached as Exhibit A to this Affidavit.

23 4. On August 5, 2011, the Notice was mailed to all customers of  
24 Arizona-American in the Agua Fria Water District with current addresses. The practice of  
25 the printer/mailhouse used for this mailing is not to send to addresses deemed invalid  
26 through the United States Postal Service's National Change of Address System/Coding  
Accuracy Support System (the address verification system used by the United States

1 Postal Service and direct mail facilities). As a result, a small number (approximately 150)  
2 were not mailed on August 5, 2011. After I learned that the mailings for the invalid  
3 addresses were not made, I directed that the mailings still be made on August 15, 2011 as  
4 an extra precaution. Because these are listed as invalid addresses within the NCOA/CASS  
5 system, I expect these mailings will be rerouted at the local postal facility and returned as  
6 undeliverable.

7 5. Proof of postage is attached as Exhibit B to this Affidavit.

8  
9 Dated this 18 day of August, 2011.

10  
11  
12   
Barry Pawelek

13 State of California )  
14 County of San Diego ) SEE ATTACHED

15 Subscribed and Sworn to before me on August \_\_\_\_\_, 2011.

16 Name: \_\_\_\_\_

17  
18 My Commission Expires: \_\_\_\_\_

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**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Diego }

On 8/18/11 before me, Jane Grodzicki, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Barry Pawelek  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
 Signature: [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

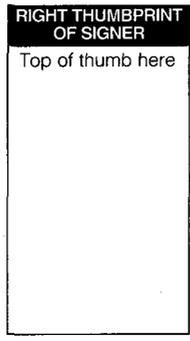
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

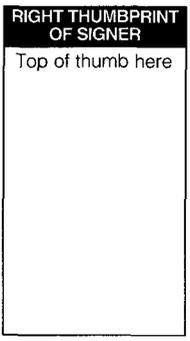
- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

**EXHIBIT A**

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ARIZONA  
AMERICAN WATER

2355 W Pinnacle Peak Rd, Suite 300  
Phoenix, AZ 85027

**URGENT: IMPORTANT INFORMATION  
ABOUT INTERVENTION IN  
ARIZONA-AMERICAN/EPCOR SALE  
TRANSACTION PROCEEDING**

**PUBLIC NOTICE OF HEARING ON THE APPLICATION  
OF ARIZONA-AMERICAN WATER COMPANY FOR A  
WAIVER OF PUBLIC UTILITY HOLDING COMPANIES  
AND AFFILIATED INTERESTS RULES (A.A.C. R14-2-  
801 et seq.) UNDER A.A.C. R14-2-806, OR IN THE  
ALTERNATIVE, NOTICE OF INTENT TO REORGANIZE  
UNDER A.A.C. R14-2-803.  
(Docket No. W-01303A-11-0101)**

August 6, 2011

**URGENT: IMPORTANT INFORMATION ABOUT INTERVENTION IN ARIZONA-AMERICAN/EPCOR SALE TRANSACTION PROCEEDING**

**THE INTERVENTION DATE ALLOWING PARTIES TO INTERVENE IN THIS MATTER HAS BEEN EXTENDED UNTIL AUGUST 22, 2011. A SIMILAR EXTENSION WAS PROVIDED IN THE ARIZONA-AMERICAN RATE CASE, DOCKET NO. W-01303A-10-0448. THE INTERVENTION DATE IN THAT MATTER HAS BEEN EXTENDED UNTIL AUGUST 24, 2011. TO PARTICIPATE IN THE INDIVIDUAL MATTERS, PARTIES MUST FILE SEPARATE INTERVENTION REQUESTS.**

**PUBLIC NOTICE OF HEARING ON THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY FOR A WAIVER OF PUBLIC UTILITY HOLDING COMPANIES AND AFFILIATED INTERESTS RULES (A.A.C. R14-2-801 et seq.) UNDER A.A.C. R14-2-806, OR IN THE ALTERNATIVE, NOTICE OF INTENT TO REORGANIZE UNDER A.A.C. R14-2-803. (Docket No. W-01303A-11-0101)**

On March 2, 2011, Arizona-American Water Company ("Applicant") filed with the Arizona Corporation Commission ("Commission") an application for a waiver of the Commission's Public Utility Holding Companies and Affiliated Interests Rules under A.A.C. R14-2-806 or, in the alternative, Notice of Intent to Reorganize under A.A.C. R14-2-803 ("Application and Notice"). The Application and Notice states that Applicant's parent company, American Water Works Company, Inc., proposes to sell to EPCOR Water (USA) Inc. all of the issued and outstanding shares of Applicant's common stock.

**How You Can View or Obtain a Copy of the Application and Notice**

Copies of the Application and Notice are available from Arizona-American, 2355 W. Pinnacle Peak Rd., Phoenix, AZ 85027; [www.arizonaamwater.com](http://www.arizonaamwater.com); and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona, for public inspection during regular business hours and on the Internet using the Commission's e-Docket function, which is located in the lower right hand corner of the Commission's website homepage, [www.azcc.gov](http://www.azcc.gov).

**Arizona Corporation Commission Public Hearing Information**

The Commission will hold a hearing on this matter beginning **August 23, 2011, at 10:00 a.m.**, at the Commission's offices, **Hearing Room #1**, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by mailing a letter referencing **Docket No. W-01303A-11-0101** to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by e-mail. For a form to use and instructions on how to e-mail comments to the Commission, go to <http://www.azcc.gov/divisions/utilities/forms/publiccommentform.pdf>. If you require assistance, you may contact the Consumer Services Section at 602.542.4251 or toll free at 1.800.222.7000.

**If you do not intervene in this proceeding, you will receive no further notice of the proceedings in this docket. However, all documents filed in this docket are available online** (usually within 24 hours after docketing) using the Commission's e-Docket function, which is located in the lower right hand corner of the Commission's website homepage, [www.azcc.gov](http://www.azcc.gov). RSS feeds are also available using the Commission's e-Docket function.

**About Intervention**

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene.

If you wish to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission no later than **August 22, 2011**, and send a copy of the motion to Applicant or its counsel and to all parties of record. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom service of documents is to be made, if not yourself;
2. A short statement of your interest in the proceeding (e.g., a customer of Applicant, a shareholder of Applicant, etc.); and
3. A statement certifying that you have mailed a copy of the motion to intervene to Applicant or its counsel and to all parties of record in the case. Names and contact information for the parties of record may be obtained using the Commission's e-Docket function, which is located in the lower right hand corner of the Commission's website homepage, [www.azcc.gov](http://www.azcc.gov).

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that **all motions to intervene must be filed on or before August 22, 2011**. All parties must comply with Arizona Supreme Court Rules 31 and 38 and A.R.S. § 40-243 with respect to the practice of law. For information about requesting intervention, go to <http://www.azcc.gov/divisions/utilities/FORMS/interven.pdf>. The granting of intervention entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. **However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.**

**ADA/Equal Access Information**

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, e-mail [SABernal@azcc.gov](mailto:SABernal@azcc.gov), voice phone number 602.542.3931. Requests should be made as early as possible to allow time to arrange the accommodation.

**EXHIBIT B**

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PS Form 3600-R - First-Class Mail - Permit Imprint

**Final**

**Postage Summary**

<b>Permit Holder:</b>	ALLEGRA SAN DIEGO 7515 METROPOLITAN DR STE 405 SAN DIEGO  Contact: SUSANNE GUSTAVSSON (619) 295 - 8307 Ext. 2783 tom@allegraprintsd.com	<b>Mailing Agent:</b>		<b>Org. For Mailing Is Prepared:</b>	
<b>Permit Holder's Permit:</b>	Permit Imprint 1194	<b>Mailing Agent's Permit:</b>		<b>Processing Category:</b>	Letters (may include Cards)
	CRID: 5278858				
<b>Post Office Of Mailing:</b>	SAN DIEGO CA 92199	<b>Mailer's Mailing Date:</b>	08/05/2011	<b>Weight of Single Piece:</b>	0.0142 lbs.
<b>Total Pieces:</b>	34,785 pcs.	<b>Total Weight:</b>	493.9470 lbs.	<b>Total Postage:</b>	\$ 12,036.11
<b>Sequencing Date:</b>		<b>Address Matching Date - Automation:</b>	08/04/2011	<b>Address Matching Date - Carrier Route:</b>	
<b>No of Containers:</b>	1' MM Trays: 14	2' MM Trays: 21	2' EMM Trays:	Flat Trays:	Sacks: Pallets: Other:
<b>Customer Reference ID.:</b>	11630				
<b>Statement Sequence No</b>	092639				
<b>Move Update Method:</b>	NCOALink				
<b>Mallpieces contain reply card or reply envelope: NO</b>			<b>Mallpieces contain Only contents that are not required to be mailed FCM: NO</b>		
<b>Mallpieces contain a DVD/CD or other Disk: NO</b>			<b>Round Trip Only: 1 DVD/CD or other Disk: NO</b>		
<b>Incentive Claimed: N/A</b>					
<b>Mail Arrival Date and Time: 08/05/2011 17:13</b>		<b>Payment Date and Time: 08/05/2011 18:02</b>		<b>Caps Transaction Number: 2011080520024500M0</b>	
<b>Comments:</b>					

**Part A : Automation Prices**

Line Number	Title	Description	Price	Quantity	Postage
A5	5-Digit	Letters	0.340	29546 pcs.	\$ 10,045.6400
A6	3-Digit	Letters	0.365	1059 pcs.	\$ 386.5350
A7	AADC	Letters	0.368	1194 pcs.	\$ 439.3920
A8	Mixed AADC	Letters	0.390	2986 pcs.	\$ 1,164.5400
<b>Part A Postage:</b>					<b>\$ 12,036.1070</b>
<b>Total Postage From All Parts:</b>					<b>\$ 12,036.1070</b>

**Certification**

The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer, and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control.

I hereby certify that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and that the mailing qualifies for the prices and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation.

I understand that anyone who furnishes false or misleading information on this form or who omits information requested on the form may be subject to criminal and/or civil penalties, including fines and imprisonment.

**Signature**

<b>Signature of Mailer or Agent</b>	<b>Name of Mailer or Agent</b>	<b>Telephone</b>
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Facsimile Form 3600-R

**USPS Use Only**

<b>Weight of a Single Piece</b>	<b>Are figures at left adjusted from mailer's entries?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Give Reason	
<b>Total Pieces</b> 34,785 pcs.	<b>Total Weight</b> 306.1080 lbs.	<b>Date Mailer Notified</b>

Total Postage \$12,036.11		Contact
Presort Verification: Check One (If Applicable) <input type="checkbox"/> Not Scheduled <input type="checkbox"/> Performed		By (Initials)
I CERTIFY that this mailing has been inspected concerning: (1) eligibility for postage price claimed; (2) Proper preparation (and presort where required); and (3) proper completion of postage statement; and (4) payment of annual fee (if required).		
Verifying Employee's Signature		Verifying Employee's Name STELLA MIRELES
		Round Stamp Required
Optional Procedure No	Location Code 0951L	Mailing Date

Facsimile Form 3600-R

Verification	Request Source	Performance Status	Disposition	Performance Type	Performance Percentage	Additional Postage	Cost Avoidance
eMIR Cursory review		Not Performed	N/A	N/A			
Weigh Entire Mailing	Mailer declared information is in error or incomplete	Performed	N/A	Weigh Verification Error	100%	N/A	N/A
MERLIN	System Requested - No activity 30 days	Performed	N/A	Barcode	100%	N/A	N/A
			N/A	Digit String	100%	N/A	N/A
			N/A	Delivery Point Validation	N/A	N/A	N/A
			N/A	Move Update Validation	100%	N/A	N/A
			N/A	Presort	100%	N/A	N/A
<b>Total:</b>						<b>\$0.00</b>	<b>\$0.00</b>

This mailing has been inspected concerning:  
 (1) eligibility for postage prices claimed;  
 (2) proper preparation (and presort where required);  
 (3) proper completion of postage statement; and  
 (4) payment of annual fee (if required).