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BEFORE THE ARIZONA CORPORATION CO

Arizona Corporation Commission

COMMISSIONERS

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

DOCKETED

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IN THE MATTER OF THE COMMISSION ON
ITS OWN MOTION INVESTIGATING THE
FAILURE OF TRUXTON CANYON WATER
COMPANY TO COMPLY WITH COMMISSION
RULES AND REGULATIONS.

Docket No. W-02168A-10-0247

DECISION NO. 72548

ORDER GRANTING REHEARING

Open Meeting
August 16, 2011
Phoenix, Arizona

BY THE COMMISSION:

On June 16, 2011, Truxton Canyon Water Company ("Truxton") timely filed an application for reconsideration of Arizona Corporation Commission ("Commission") Decision No. 72386.

On June 24, 2011, the Commission granted rehearing of Decision No. 72386 for the purpose of further consideration.

At its August 16, 2011 Open Meeting, the Commission further considered these matters and heard comments from the parties concerning rehearing of Decision No. 72386.

Upon due consideration of Truxton's request for reconsideration and of the parties' positions on rehearing, the Commission finds and concludes that rehearing should be granted for Decision No. 72386 under the circumstances herein.

In granting rehearing of Decision No. 72386, the Commission does not limit the scope on rehearing to Truxton's request for reconsideration, and instead, the Commission finds and concludes that rehearing proceedings should provide an opportunity to all parties to raise any issues presented in this docket.

1 The Commission directs the Hearing Division to conduct appropriate proceedings for
2 rehearing and prepare a recommended opinion and order for Commission consideration. The
3 Commission further directs that parties may raise issues related to whether the Claude K. Neal
4 Family Trust ("Trust") is a public service corporation, and that appropriate proceedings may be
5 established upon request of a party concerning whether the Trust is a public service corporation.

6 Upon due consideration, the Commission further finds and concludes that Truxton should be
7 required to docket on or before September 1, 2011, a proposed interim tariff for Commission
8 approval for water service to Valle Vista Property Owners Association ("VVPOA"), subject to true-
9 up in the Company's next general rate case, in which the actual tariff for VVPOA shall be
10 determined. The Company's proposed interim tariff for water service to VVPOA shall include rates,
11 terms, and conditions of service, to be effective January 1, 2012. VVPOA may docket a response or
12 an alternative proposal for Commission consideration within 15 days of the docketing of the
13 Company's tariff.

14 **ORDER**

15 IT IS THEREFORE ORDERED that rehearing of Decision No. 72386 is hereby granted as
16 discussed in this decision.

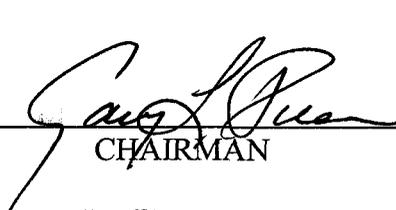
17 IT IS FURTHER ORDERED that Truxton Canyon Water Company shall file on or before
18 September 1, 2011 as a compliance matter, an interim tariff for water service to Valle Vista Property
19 Owners Association to be effective January 1, 2012 and subject to true-up in the Company's next rate
20 case. If Valle Vista Property Owners Association wishes to file a response to the Company's
21 proposed tariff, it shall make its filing within 15 days of the Company's docketing of its proposed
22 tariff.

23 IT IS FURTHER ORDERED that Decision No. 72386 shall remain in full force and effect
24 pending the rehearing proceedings, unless otherwise ordered by the Commission.

25 IT IS FURTHER ORDERED that this decision is effective immediately.
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BY ORDER OF THE ARIZONA CORPORATION COMMISSION

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CHAIRMAN

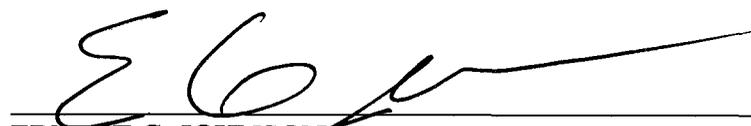

COMMISSIONER

EXCUSED
COMM. KENNEDY


COMMISSIONER


COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
Executive Director of the Arizona Corporation Commission,
have hereunto, set my hand and caused the official seal of this
Commission to be affixed at the Capital, in the City of Phoenix,
this 24th day of August 2011.


ERNEST G. JOHNSON
Executive Director

DISSENT: _____

DISSENT: _____