

ORIGINAL

Docket Nos. W-02065A-11-0246 & W-20809-11-0



0000129662

**Wilhoit & Dells
Water Companies**

RECEIVED

2011 SEP 16 A 10:45

AZ CORP COMMISSION
DOCKET CONTROL

September 15, 2011

Arizona Corporation Commission
DOCKETED

SEP 16 2011

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 8507

DOCKETED BY

Re: Docket Nos. W-02065A-11-0246 & W-20809-11-0246

Please accept the attached as a supplement to the application by the Wilhoit Water Company for approval of the sale of assets and transfer of Certificates of Convenience and Necessity. The supplement is an application by the Company for the Cancellation of a Certificate of Convenience and Necessity (CC&N). The purpose of this application is to cancel a CC&N that was never utilized and never served any customers.

In 1972, the Commission issued the CC&N for the property described in Exhibit "A" to Wilhoit Water Company based on plans by the parent company of Wilhoit (Glenarm Land Company) to develop property within the CC&N. That property was never developed.

The cancellation of the CC&N for the area described in Exhibit "A" clarifies which the assets should be the subject of the sale and closes the book on an administrative matter that should have been dealt with by the Company years ago when the development was abandoned.

Cordially,

Jim West
Manager

/attachments

ARIZONA CORPORATION COMMISSION

**APPLICATION FOR APPROVAL OF THE SALE OF ASSETS AND/OR
FOR CANCELLATION OF THE CERTIFICATE OF CONVENIENCE
AND NECESSITY**

WATER AND/OR SEWER

A. The name, address and telephone number of the Applicant is:

Wilhoit Water Company, P.O. Box 870, Clarkdale, AZ 86324; 928-639-1308

B. If doing business under a name other than the Applicant name, specify.

C. The Applicant is a:

Corporation:

"C", "S", Non-Profit

Arizona Foreign

Partnership

Limited General

Arizona Foreign

Sole Proprietorship

Limited Liability Company (LLC)

Other (Specify) _____

D. List the name, address and telephone number of the attorney for the applicant:

Douglas G. Martin; 365 E. Coronado, Suite 200; Phoenix, AZ 85004; 602-230-0030

E. List the name, address and telephone number of the management contact:

Jim West; 365 E. Coronado, Suite 200; Phoenix, AZ 85004; 602-230-0030

F. The name, address and telephone number of Purchaser is:

N/A

G. List the name and telephone number of the purchaser's representative.

N/A

H. The Purchaser is a:

Municipality Improvement District Other N/A

I. The purpose for the sale and/or cancellation is due to:

Negotiated Sale of Asset Condemnation Other The cancellation of the CC&N
will clarify which assets are being sold by the Company to Acme Water Company and
administratively close the book on a CC&N which was never utilized.

J. Provide a copy of the following documents.

1. Sales or purchase agreement
2. Court order (if condemnation)
3. Corporate Resolution authorizing the liquidation of the assets, if required by the Articles of Incorporation

K. Have all customer security deposits been refunded? Yes ___ No ___

If no, mark the block below that describes the proposed disposition of security deposits.

All security deposits will be refunded prior to or at time of closing.

All security deposits will be transferred to the Purchaser for refund pursuant to the terms and conditions.

Other (explain)

No security deposits were ever collected

L. Are there any refunds due on Main Extension Agreements? Yes ___ No X

If Yes, mark the block below which describes the proposed disposition of the refunds.

Applicant will continue to refund after the transfer. (Explain method of refunding)

Purchaser will assume the refunding obligation in accordance with the terms of the main extension agreement.

Applicant will make a full refund which will be made at closing.

Other (explain).

EXHIBIT "A"

The Southwest Quarter of Section 26, the Southeast Quarter of Section 26, the North Half of the Northeast Quarter of Section 35; EXCEPT all coal and other minerals as reserved by the United States in Patent on said land. The East Half of the Southeast Quarter and the Southwest Quarter of Section 27; the Northeast Quarter of the Northeast Quarter of Section 34, the North Half of the Northwest Quarter; the Southwest Quarter of the Northwest Quarter and the West Half of the Southwest Quarter of Section 35; all in the Township 11 North, Range 3 West of the Gila and Salt River Meridian, Yavapai County, Arizona.

M. (WATER ONLY) Are there any refunds due on meter and service line installations?
Yes ___ No X If Yes, mark the block below which describes the proposed disposition of
refunds.

- Applicant will continue to refund after the transfer pursuant to Commission Rules.
- Purchaser will assume the refunding obligations in accordance with Commission Rules.
- Applicant will make a full refund at closing.
- Other (explain).

DATED the 15th day of September, 2011

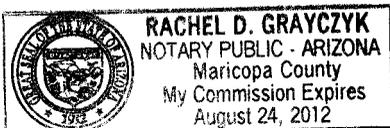


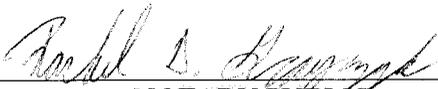
(Signature of Authorized Representative of Applicant)
Jim West

(Type or Print Name Here)
Manager

(Title)

SUBSCRIBED AND SWORN to before me on this 15th day of September, 2011





NOTARY PUBLIC

My Commission Expires August 24, 2012