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AZ CORP COMMISSION  
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1 FENNEMORE CRAIG, P.C.  
2 A Professional Corporation  
3 Patrick J. Black (No. 017141)  
4 3003 North Central Avenue  
5 Suite 2600  
6 Phoenix, Arizona 85012  
7 Telephone (602) 916-5000

8 Attorneys for The Links at Coyote Wash Utilities, LLC

9 **BEFORE THE ARIZONA CORPORATION COMMISSION**

10 IN THE MATTER OF THE  
11 APPLICATION OF THE LINKS AT  
12 COYOTE WASH UTILITIES, LLC, FOR  
13 APPROVAL OF A PERMANENT RATE  
14 INCREASE.

DOCKET NO. SW-04210A-10-0392

**NOTICE OF COMPLIANCE**

15 Pursuant to Decision No. 72491 (June 25, 2011), The Links at Coyote Wash  
16 Utilities, LLC (the "Company") hereby submits this Notice of Compliance in the above-  
17 captioned matter.

18 On September 23, 2011, the Company provided notice to customers regarding the  
19 status of the investigation of odor issues and setting forth the process for how to make an  
20 odor complaint. The Affidavit of Kay Reynolds is attached as **Exhibit 1**.

21 DATED this 24<sup>th</sup> day of October, 2011.

FENNEMORE CRAIG, P.C.

Arizona Corporation Commission

**DOCKETED**

OCT 24 2011

DOCKETED BY [Signature]

22 By   
23 Patrick J. Black  
24 3003 North Central Avenue  
25 Suite 2600  
26 Phoenix, Arizona 85012

1 ORIGINAL and 13 copies filed this  
2 24<sup>th</sup> day of October, 2011, with:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

7 COPY hand-delivered this 24<sup>th</sup> day of October, 2011:

8 Ayesha Vohra, Esq.  
9 Legal Division  
10 Arizona Corporation Commission  
11 1200 West Washington Street  
12 Phoenix, Arizona 85007

13 Carmel Hood, Compliance  
14 Utilities Division  
15 Arizona Corporation Commission  
16 1200 West Washington Street  
17 Phoenix, Arizona 85007

18 By:   
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20 2503168.1

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# **EXHIBIT 1**

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**AFFIDAVIT OF KAY REYNOLDS**

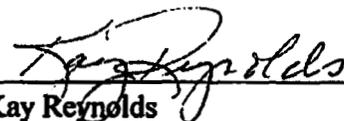
Kay Reynolds, being duly sworn, deposes and says:

1. I work in the City and County of Denver, Colorado, am over 18 years of age, and make this affidavit based on my own personal knowledge.

2. I am Bookkeeper for Pivotal Utility Management LLC, which manages and operates the Links at Coyote Wash Utilities, LLC (the "Company").

3. Pursuant to Decision No. 72491 (July 25, 2011), on September 23, 2011 the Company mailed to customers a notice providing: 1) an update on the status of the Company's investigation of odor issues; and 2) instructions on how to make an odor complaint. A copy of the notice is attached hereto as Exhibit 1.

4. In further accordance with Decision No. 72491, the Company submits this affidavit of mailing.

  
\_\_\_\_\_  
Kay Reynolds

SUBSCRIBED and sworn to before me this 23<sup>rd</sup> day of October, 2011.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:  
05/15/13  
2502990.1/016307.0002



My Commission Expires 05/15/2013

September 16, 2011

**Links at Coyote Wash Utilities Customers:**

In accordance with the recent Rate Case Decision (No. 72491) of the Arizona Corporation Commission, we are required to update our customers on the status of our investigation of odor issues related to the wastewater treatment plant serving you.

In the last year, we have replaced some of the aeration piping and diffuser equipment in the treatment plant, which has improved the oxygen transfer rates and mixing in the process. We have also replaced carbon kits which are designed to remove noxious odors which may escape parts of the treatment process. In the last six months (after some of these repairs were completed), the company has not received any odor complaints.

**For purposes of providing our customers with more responsive service, we would like to outline the process for making an odor complaint:**

1. If you smell an objectionable odor, and believe it may be coming from the treatment plant or sewer collection system, please write down the following information:
  - a. Date, Time & Duration, and weather conditions (cloudy, sunny, wind direction, precipitation?)
  - b. Your location (address and proximity – i.e. "standing on sidewalk in front of my house at ....")
  - c. The direction the odor seems to be coming from (if identifiable).
2. If possible, walk in a couple directions from initial odor to determine if it is particular to your property/area, or more regional. Please note any findings.
3. Describe the strength and to the extent possible, the type of odor (i.e. smells like a feed lot, smells like sulfur, smell is very musty).
4. Contact our contract operator, Sunstate Environmental at (928)920-9056. If you do not get an answer immediately, leave a message with the pertinent information from above and include your contact information. OR Email the information requested to: [rick@sunstatees.com](mailto:rick@sunstatees.com) OR [general@pivotalcompanies.com](mailto:general@pivotalcompanies.com).
5. Someone from Sunstate Environmental or Pivotal Utility Management will get back with you within 24 hours. If you do not receive a return contact within 24 hours, contact Pivotal Utility Management toll free (866)681-0148 (offices open Monday-Friday 9A – 5P Mountain Time).

We very much appreciate your assistance with this program, and expect that with your help and information, we will be better able to react to and mitigate any Wastewater Treatment Plant odor issues going forward.

Sincerely,



Jason Williamson  
Manager, Links at Coyote Wash Utilities