

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

- Gary Pierce – Chairman
- Bob Stump
- Paul Newman
- Sandra D. Kennedy
- Brenda Burns

2011 DEC 15 P 1:41

Arizona Corporation Commission

DOCKETED

DEC 15 2011

AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE  
 APPLICATION OF ARIZONA  
 WATER COMPANY, AN ARIZONA  
 CORPORATION, TO EXTEND ITS  
 EXISTING CERTIFICATE OF  
 CONVENIENCE AND NECESSITY  
 AT CASA GRANDE, PINAL  
 COUNTY, ARIZONA

DOCKET NO. W-01445A-05-0469

ADDENDUM TO REQUEST FOR  
 ADDITIONAL TIME FOR  
 COMPLIANCE FILING

On October 5, 2011 Arizona Water Company (the "Company"), filed, in the above-captioned docket, a request for additional time to comply with certain compliance deadlines contained in Decision No. 68607 (the "Decision"). In support of its request, the Company provided certain documents, including copies of letters from owners or owner representatives of a majority of the real property located in the expansion area the Commission approved for the Company in the Decision. The letters document the property owners continuing need and request for water service from the Company and that they desire that the Company continue to be the certificated water provider for the expansion area in order that they will be able to continue with plans to develop their property.

The Company has since received letters from additional property owners in the expansion area that, like the letters attached to the October 5, 2011 request, reaffirm the property owners' desire to obtain water service from the Company. Copies of these letters are attached to this Addendum as Attachments A through L, respectively.

1 In addition, the owner of all of the real property located in Parcel 5 of the expansion area  
2 provided more specific information concerning development plans for such real property.  
3 Attached hereto as Attachment M is an Affidavit from Charles Briggs, the Company's real  
4 property specialist, which details the property owner's plans, as discussed in a recent telephone  
5 conversation with Mr. Briggs.

6  
7 In addition, the Commission's Staff has conducted a preliminary review of the Request  
8 and, in response, the Company is providing the following additional information:

- 9
- 10 1. Before filing the Request, the Company requested a letter from each property  
11 owner in the expansion area concerning the property owner's continuing need  
12 and request for water service and desire to be able to continue with development  
13 plans.
  - 14  
15 2. No property owner or property owner's representative refused to sign a letter as  
16 described in 1, above, and evidenced in the Attachments to the Request and  
17 hereto.
  - 18  
19 3. Including the copies of letters attached to this Addendum, the Company has  
20 received request for service letters from 95% of the property owners in the  
21 expansion area, including 100% of the owners of the real property located in  
22 parcels 5 and 7.
  - 23  
24 4. The Company is also currently in the process of submitting to the ADEQ, several  
25 applications for approval of the construction of facilities to serve the expansion  
26 area. The Company does not know for certain when the applications will be  
27 approved, but believes it will be before the March 23, 2012 compliance deadline  
28 per Decision No. 71745.

1 CONCLUSION

2 In view of the supporting information and documentation contained in the Request and  
3 this Addendum thereto, and that the Company has substantially complied with the certificate of  
4 assured water supply requirement, as detailed in the request, and has submitted applications  
5 with the ADEQ for certificates of approval to construct, and the virtually unanimous continuing  
6 request for water service and the continuation of the Company's certificate of convenience and  
7 necessity for the expansion area, the Company respectfully requests that the compliance  
8 deadline under the Decision be extended to March 22, 2014.

9  
10 RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of December, 2011.

11 **ARIZONA WATER COMPANY**

12  
13  
14 By: Robert Geake

15 Robert W. Geake  
16 Vice President and General Counsel  
17 ARIZONA WATER COMPANY  
18 Post Office Box 29006  
19 Phoenix, Arizona 85038-9006  
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1 Original and thirteen (13) copies of the foregoing filed this 15<sup>th</sup> day of December, 2011 with:

2 Docket Control Division  
3 Arizona Corporation Commission  
4 1200 West Washington Street  
Phoenix, Arizona 85007

5 A copy of the foregoing was mailed this 15<sup>th</sup> day of December, 2011 to:

6 Honorable Lyn A. Farmer  
7 Chief Administrative Law Judge  
8 Hearing Division  
9 Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

10 Janice Alward, Chief Counsel  
11 Legal Division  
12 Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

13 Steve Olea  
14 Director, Utilities Division  
15 Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

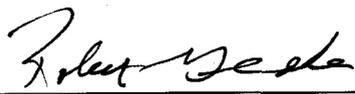
17 Brian K. Bozzo  
18 Manager, Compliance and Enforcement  
19 Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

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By: 

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ATTACHMENT A

Paul Moore & Erin Ackerman  
500 12 Mile Gulch  
Elk Springs, CO 81633

September 29, 2011

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel Number(s) 511-05-010D which we own.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, we still need and desire to receive water service from Arizona Water Company to serve this parcel.

Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact us.

Sincerely,

By: Paul Moore Erin Ackerman  
Paul Moore & Erin Ackerman



ATTACHMENT B

Shou Lee  
343 Jen-A 9th Flr. St.  
Taipei, 10686

September 29, 2011

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

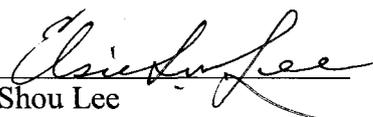
We are following up with you regarding Pinal County Assessor's Parcel Number(s) 511-05-002C which I own.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, I still need and desire to receive water service from Arizona Water Company to serve this parcel.

Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact me.

Sincerely,

By:   
Shou Lee



ATTACHMENT C

Nir Aizikovitz  
3351 Del Rio Court  
Carlsbad, CA 92009-7816

September 29, 2011

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

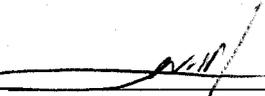
We are following up with you regarding Pinal County Assessor's Parcel Number(s) 511-05-016 which I own.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, I still need and desire to receive water service from Arizona Water Company to serve this parcel.

Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact me.

Sincerely,

By:   
Nir Aizikovitz

Its: owner





**D'Ambrosio Land and Investment Inc.**  
"Land is our Specialty" - Syndications

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October 11, 2011

Arizona Water Company  
3805 North Black Canyon Highway  
Phoenix, Arizona 85015-5351

Re: Pinal County Assessor's Parcel # 511-05-004D & 511-05-017

Dear Mr. Geake,

Enclosed please find signed letter your company requested. If you have any questions, or need to contact us, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script that reads "Debbie DeWitt".

Debbie DeWitt  
Office Administrator



ATTACHMENT E

Julie Littleton and Marion Weinzweig  
4980 N. Hacienda Del Sol Rd.  
Tucson, AZ 85718-6021

September 29, 2011

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel Number(s) 511-05-004D, 511-05-017 which we own.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, we still need and desire to receive water service from Arizona Water Company to serve these parcels.

Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact us.

Sincerely,

  
By:   
Julie Littleton and  
Marion Weinzweig

ATTACHMENT F

Stanley and Terri Hicks  
4501 Dusty Trail St.  
North Las Vegas, NV 89031-2187

September 29, 2011

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel Number(s) 500-12-006 which we own.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, we still need and desire to receive water service from Arizona Water Company to serve this parcel.

Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact us.

Sincerely,

*Terri Hicks*  
By: *Stanley Hicks*  
Stanley and Terri Hicks



ATTACHMENT G

Midway Flood Control District  
1115-711 E. Cottonwood Ln. Ste 100  
Casa Grande, AZ 85122-2425



September 29, 2011

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel Number(s) 511-05-001B which we own.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, we still need and desire to receive water service from Arizona Water Company to serve this parcel.

Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact us.

Sincerely,

By: Steven O. White  
Midway Flood Control District

Its: \_\_\_\_\_

Overfield 387 LLC  
4351 N 16<sup>th</sup> Street, Suite 110  
Phoenix, Arizona 85016

September 29, 2011

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel Number(s) 402-06-022A, 402-06-022B, 402-06-023A, 402-06-023B, 402-06-023C, 402-06-023D which we own.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, we still anticipate a need to receive water service from Arizona Water Company to serve these parcels.

We would like to see the property develop within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this time frame.

If you have any questions, please feel free to contact us.

Sincerely,

By: 

Richard Wilson for Overfield 387 LLC



ATTACHMENT I  
DWOP LLC

5040 E. Shea Boulevard, Suite 254  
Scottsdale, Arizona 85254

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel No. 509-44-008B6 which is owned by DWOP LLC.

Although our plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, we still need and desire to receive water service from Arizona Water Company to serve this parcel.

Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact us.

Sincerely,

By: 

DWOP LLC

Its: MANAGER



ATTACHMENT J  
Sonoran Ranch Properties, LLC  
13529 W. Shore Road  
Nine Mile Falls, WA 99026

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel Nos. 402-06-012, 402-06-013, 402-06-014, 402-06-019, and 402-06-024 which are owned by Sonoran Ranch Properties, LLC.

Although our plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, we still need and desire to receive water service from Arizona Water Company to serve these parcels.

Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact us.

Sincerely,

By: *Kirk A. Shaw*  
Sonoran Ranch Properties, LLC

Its: *Authorized Representative*



ATTACHMENT K

FIPC, LLC  
3333 E. Camelback Road, Suite 185  
Phoenix, AZ 85018

November 11, 2011

Arizona Water Company  
Attn: Rober W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel Number(s) 401-01-012K, 401-01-012M, 401-01-012N, 401-01-012P, 401-01-012R, 401-01-128 thru 401-01-132 which is held in trust by First American Title Insurance Company. We are the Manager for the beneficiary of the trust, FIPC, LLC.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal Country real estate market, we still need and desire to receive water service from Arizona Water Company to serve these parcels.

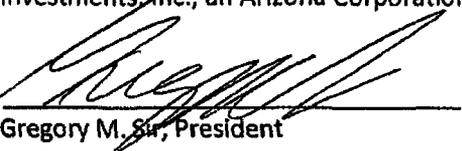
Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact us.

Sincerely,

FIPC, LLC, an Arizona limited liability company

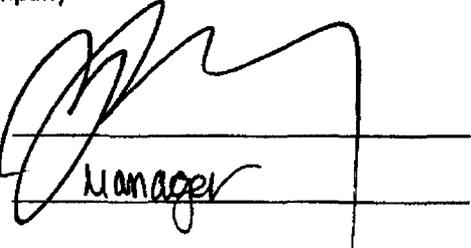
Gel Investments, Inc., an Arizona Corporation

By: 

Gregory M. Sir, President

Its: Manager

GFAH Equity Lending LLC, an Arizona limited liability company

By: 

Its: Manager

ATTACHMENT L

Cecil and Lorraine Louis  
12085 Westside Rd.  
Vernon BC, Canada V1H 2A6

September 29, 2011

Arizona Water Company  
Attn: Robert W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel Number(s) 511-05-008E which we own.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal County real estate market, we still need and desire to receive water service from Arizona Water Company to serve this parcel.

Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact us.

Sincerely,

By:   
Cecil and Lorraine Louis



AFFIDAVIT OF CHARLES BRIGGS

STATE OF ARIZONA )  
 ) ss.  
County of Maricopa )

I, Charles Briggs, being duly sworn upon my oath, state as follows:

1. I am employed as Real Property Specialist with Arizona Water Company (the "Company") and have been employed by the Company continuously since December 14, 1992. I make this Affidavit in connection with Docket No.W-01445A-05-0469 (the "Docket"), Request for Additional Time to meet certain compliance items contained in Decision No. 68607. This Affidavit is based upon my conversation with Gregory M. Sir, President of FIPC, LLC; Gel Investments, Inc., Owner of Pinal County Assessor Parcel Numbers: 401-01-012K, 401-01-012M, 401-01-012N, 401-01-012P, 401-01-012R, 401-01-128 thru 401-01-132 ("Property Owner") and is offered in support of the Company's Request for Additional Time in this matter.
2. I contacted Gregory M. Sir on November 10, 2011 to reaffirm FIPC, LLC's request for water service in the Docket.
3. Mr. Sir informed me that "...We'd like nothing more than to do something with the property other than pay taxes. At present, it's not a developable situation but we hope in the future we can develop the property. We have had discussions with Pinal County (3 meetings) and the County has extended our plat a couple of times, that being the "final plat" and we have kept the construction drawings alive from United Engineering Group. The question is, what is going to get built out there, so the County has given us another two years on the plats and the property is in a holding pattern. Is there anything we should or could do for Arizona Water Company? We have money tied up in the property and if it made sense to go forward, we would. We are currently maintaining the drawings right now so we will have time to plan. So, we are still interested in Arizona Water Company as our water service provider."
4. I asked Mr. Sir to keep Arizona Water Company up-to-date regarding their plans.
5. Mr. Sir also furnished written affirmation of the substance of 3, above (attached hereto).

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6. The information contained in this Affidavit is true and accurate to the best of my knowledge.

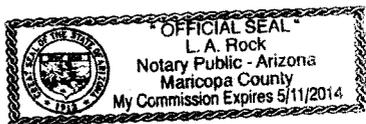
DATED this 1<sup>st</sup> day of December, 2011.

  
\_\_\_\_\_  
Charles Briggs

Subscribed and sworn to before me this 1<sup>st</sup> day of December, 2011.

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

My Commission Expires:



FIPC, LLC  
3333 E. Camelback Road, Suite 185  
Phoenix, AZ 85018

November 11, 2011

Arizona Water Company  
Attn: Rober W. Geake  
3805 N. Black Canyon Highway  
Phoenix, AZ 85015

Dear Mr. Geake:

We are following up with you regarding Pinal County Assessor's Parcel Number(s) 401-01-012K, 401-01-012M, 401-01-012N, 401-01-012P, 401-01-012R, 401-01-128 thru 401-01-132 which is held in trust by First American Title Insurance Company. We are the Manager for the beneficiary of the trust, FIPC, LLC.

Although plans for development have been delayed by the severe recession that is still adversely affecting the Pinal Country real estate market, we still need and desire to receive water service from Arizona Water Company to serve these parcels.

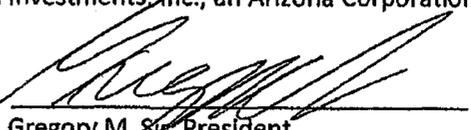
Our current plans include development within the earliest possible time, considering current market conditions, perhaps within twenty-four months. If market conditions improve, however, we hope to shorten this timeframe.

If you have any questions, please feel free to contact us.

Sincerely,

FIPC, LLC, an Arizona limited liability company

Gel Investments, Inc., an Arizona Corporation

By:   
Gregory M. Sir, President

Its: Manager

GFAH Equity Lending LLC, an Arizona limited liability company

By:   
Its: Manager