

ORIGINAL
OPEN MEETING



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MEMORANDUM

Arizona Corporation Commission
DOCKETED

MAR - 5 2012

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AZ CORP COMMISSION
DOCKET CONTROL

TO: THE COMMISSION

FROM: Utilities Division

DATE: March 5, 2012

RE: JAREN ASSOCIATES #1 DBA JAMES P. PAUL WATER COMPANY FOR THE CANCELLATION OF THE CERTIFICATE OF CONVENIENCE AND NECESSITY (DOCKET NO. W-02055A-11-0181)

DOCKETED BY 

On April 27, 2011, Jaren Associates #1 dba James P. Paul Water Company ("Company" or "James P. Paul") filed an application with the Arizona Corporation Commission for a cancellation of its Certificate of Convenience and Necessity ("CC&N").

On February 20, 1990, the Company and the City of Scottsdale executed an "Agreement for Sale and Purchase of Utility Assets". Therefore, the Company has sold and transferred all of its rights, title and interest in the plant and property constituting Jaren Associates #1 water production and distribution system, including personal property, tangible and intangible easement and rights of way and all other such rights and privileges.

Upon conducting the research and analysis for this case, Staff found that the Company has reported this information every year since the sale in its Annual Report. There are no customers and there have not been any customers for over 20 years. Staff believes there is no intent to sell or distribute water in the future and there is currently no physical plant by which to do so. Therefore, Staff believes a public utility does not exist and there is no need for the certificated area.

Based on the above, information, Staff recommends the Commission approve the cancellation of the CC&N of Jaren Associates #1 dba James P. Paul Water Company.



Steven M. Olea
Director
Utilities Division

SMO:KS:lhm\BH

ORIGINATOR: Kiana Sears

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BEFORE THE ARIZONA CORPORATION COMMISSION

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

IN THE MATTER OF THE APPLICATION)
OF JAREN ASSOCIATES #1 DBA JAMES)
P. PAUL WATER COMPANY FOR THE)
CANCELLATION OF THE CERTIFICATE)
OF CONVENIENCE AND NECESSITY)

DOCKET NO. W-02055A-11-0181
DECISION NO. _____
ORDER

Open Meeting
March 27 and 28, 2012
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Jaren Associates #1 dba James P. Paul Water Company (“Company” or “James P. Paul”) is certificated to provide water service as a public service corporation in the State of Arizona.
2. On April 11, 2011, James P. Paul filed an application for the cancellation of a Certificate of Convenience and Necessity (“CC&N”).
3. On February 20, 1990, the Company and the City of Scottsdale executed an “Agreement for Sale and Purchase of Utility Assets”. Therefore, the Company has sold and transferred all of its rights, title and interest in the plant and property constituting Jaren Associates #1 water production and distribution system, including personal property, tangible and intangible easement and rights of way and all other such rights and privileges.
4. Upon conducting the research and analysis for this case, Staff found that the Company has reported this information every year since the sale in its Annual Report. There are

1 no customers and there have not been any customers for over 20 years. Staff believes there is no
 2 intent to sell or distribute water in the future and there is currently no physical plant by which to do
 3 so. Therefore, Staff believes a public utility does not exist and there is no need for the certificated
 4 area.

5 CONCLUSIONS OF LAW

6 1. Jaren Associates #1 dba James P. Paul Water Company, is no longer an Arizona
 7 public service corporation within the meaning of Article XV, Section 2, of the Arizona
 8 Constitution.

9 2. The Commission has jurisdiction over Jaren Associates #1 dba James P. Paul Water
 10 Company and over the subject matter of the Application.

11 3. The Commission, having reviewed the application and Staff's Memorandum dated
 12 March 5, 2012 concludes that it is in the public interest to approve the cancellation of the CC&N
 13 for Jaren Associates #1 dba James P. Paul Water Company.

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ORDER

IT IS THEREFORE ORDERED that the Certificate of Convenience & Necessity of Jaren Associates #1 dba James P. Paul Water Company is hereby cancelled.

IT IS FURTHER ORDERED that Jaren Associates #1 dba James P. Paul Water Company is no longer authorized to provide water service in Arizona.

IT IS FURTHER ORDERED that this Order shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, Ernest 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 Capitol, in the City of Phoenix, this _____ day of _____, 2012.

ERNEST JOHNSON
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

EGJ:KS:llm\BH

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SERVICE LIST FOR: JAREN ASSOCIATES #1 DBA JAMES P. PAUL WATER COMPANY
DOCKET NO. W-02055A-11-0181

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