

OPEN MEETING ITEM



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



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ARIZONA CORPORATION COMMISSION

DATE: MARCH 28, 2012  
DOCKET NO.: W-01521A-09-0121  
TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Belinda A. Martin. The recommendation has been filed in the form of an Order on:

SUE JUAN WATER COMPANY  
(EXTENSION OF TIME DEADLINE CONTAINED  
IN DECISION NO. 72585)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

APRIL 6, 2012

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

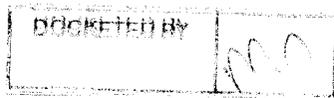
APRIL 24, 2012 and APRIL 25, 2012

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

MAR 28 2012



ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 GARY PIERCE - Chairman  
4 BOB STUMP  
5 SANDRA D. KENNEDY  
6 PAUL NEWMAN  
7 BRENDA BURNS

8 IN THE MATTER OF THE APPLICATION OF  
9 SUE JUAN WATER COMPANY FOR  
10 CANCELLATION OF ITS CERTIFICATE OF  
11 CONVENIENCE AND NECESSITY AND  
12 TRANSFER OF ITS UTILITY ASSETS TO THE  
13 CITY OF BENSON.

DOCKET NO. W-01521A-09-0121

DECISION NO. \_\_\_\_\_

**ORDER EXTENDING TIME**  
**DEADLINE CONTAINED IN**  
**DECISION NO. 72585**

14 Open Meeting  
15 April 24 and 25, 2012  
16 Phoenix, Arizona

17 **BY THE COMMISSION:**

18 Having considered the entire record herein and being fully advised in the premises, the  
19 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

20 **FINDINGS OF FACT**

21 1. On September 15, 2011, the Commission issued Decision No. 72585, granting Sue  
22 Juan Water Company's ("Sue Juan") request for the transfer of its assets and operations to the City of  
23 Benson ("City") and to cancel its Certificate of Convenience and Necessity.

24 2. In that Decision, the Commission directed Sue Juan to file with Docket Control copies  
25 of the Arizona Department of Water Resources ("ADWR") Notice of Well Capping of Sue Juan's  
26 wells no later than December 31, 2011.

27 3. On December 27, 2011, the City, on behalf of Sue Juan, filed a letter requesting an  
28 extension of the December 31, 2011, deadline for filing the ADWR Notice of Well Capping.  
According to the City, it had been performing a number of updates to the water system and still  
needed to complete a video inspection of the well in order to determine the most appropriate method  
of capping the well. The City stated that it was uncertain when the well-capping would be completed  
and when the Notice of Well Capping would be sent to ADWR. The City requested that the deadline

1 for filing the Notice be extended from December 31, 2011, to June 30, 2012.

2 4. On March 7, 2012, the Commission's Utilities Division Staff ("Staff") filed its  
3 Memorandum in response to the City's request. Staff indicated that it had contacted the City  
4 representative about the extension request on March 5, 2012. The representative told Staff that the  
5 City anticipated that the requested June 30, 2012, deadline should be sufficient time for the City to  
6 finish the well capping process and submit the Notice of Well Capping to ADWR and to the  
7 Commission.

8 5. Staff recommended that the deadline for filing the ADWR Notice of Well Capping be  
9 extended from December 31, 2011, to June 30, 2012.

10 6. Staff's recommendation is reasonable and we find that it is appropriate to extend the  
11 deadline from December 31, 2011, to July 2, 2012.<sup>1</sup>

12 7. Accordingly, we find that Staff's recommendation, as modified, is reasonable and  
13 shall be adopted.

14 **CONCLUSIONS OF LAW**

15 1. Sue Juan is a public service corporation within the meaning of Article XV of the  
16 Arizona Constitution and A.R.S. §§40-281 and 40-282.

17 2. The Commission has jurisdiction over Sue Juan and the subject matter of the request  
18 for extension for time to comply with Commission Decision No. 72585.

19 3. Staff's recommendation, as modified, is reasonable and should be adopted.

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28 <sup>1</sup> June 30, 2012, falls on a Saturday.

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**ORDER**

IT IS THEREFORE ORDERED that Sue Juan Water Company's request for extension of time to comply with Decision No. 72585 is granted, extending the compliance deadline for filing the ADWR Notice of Well Capping to July 2, 2012.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN \_\_\_\_\_ COMMISSIONER

COMMISSIONER \_\_\_\_\_ 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 the Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

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SERVICE LIST FOR: SUE JUAN WATER COMPANY

DOCKET NO.: W-01521A-09-0121

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