

compliance

ORIGINAL

**Baca Float Water Co. Inc.**  
PO Box 1536 – Tubac AZ. 85646  
Phone 520-398-3177 Fax 520-398-9770  
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Thursday, March 15, 2012

DOCKET NO. WS-01678A-07-0459  
RE: Extension of Time to File Compliance Item

Pursuant to Decision No. 70290, Baca Float Water Company, Inc. ("Baca Float" or the "Company") was required to file "copies of the General Permits for the Wetland treatment facility and the Collection system" by April 12, 2010. Baca Float, through counsel, requested the Arizona Corporation Commission extend the date to file this information by two years, until April 12, 2012. The extended date was granted in Decision No. 71709.

By way of background, in early 2007, Tubac 40, L.L.C. an Arizona Limited Liability Company ("Tubac40") contacted BFWC and requested BFWC to provide sewer service to approximately 40 acres of land, comprised of 82 lots. On August 2, 2007, BFWC filed an application seeking Commission authority to add the approximately 40 non-contiguous acres to its current certificated area. The existing system is approximately 1.5 miles south of the requested extension area. As such, the Company intends to construct a new facility for the development.

Due to the economic situation throughout the nation and continued slowing of the real estate market, Tubac 40 has further delayed its plans to begin constructing the sewer facilities. See Exhibit A. Due to these economic conditions, Tubac 40, developers of the project have put their plans on hold until financing can be arranged to continue the development. The Tubac 40 Company notes that the situation in Santa Cruz County is so extreme, the Board of Supervisors have agreed to waive the annual "project renewal application process and fees" for all developments which have been approved by the board, but which have not begun development yet. The county has recognized that this current economic slowdown has rivaled some of the worst ever seen in the United States and is most likely the worse ever experienced here in Santa Cruz County. In recognition of that fact they passed the above referenced resolution. Nevertheless, Tubac 40, as indicated in the attached correspondence, anticipates that construction will proceed as planned in 2014. The Presidio Development restated its request for service and has indicated its support for this extension. See Exhibit A. Baca Float further notes that this delay in filing General Permits will not impact is existing 385 customers in the adjacent service area.

In light of the foregoing and given the "Extraordinary Circumstances" brought on by the current economy, Baca Float respectfully requests an extension of the compliance deadline for filing the Requested information until April 12, 2014.

If you have any questions please feel free to contact either Gary Brasher or Harold Busboom on the matter.

Respectfully submitted

Baca Float Water Co. Inc.

Arizona Corporation Commission  
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AZ CORP COMM  
Director - Utilities

**Tubac 40 L.L.C.**

3950 Camino Del Heroe  
Green Valley, AZ. 85614  
520-648-3758

Thursday, March 15, 2012

Gary Brasher  
Baca Float Water Company  
Two Tubac Road  
PO Box 1536  
Tubac, AZ 85646

**Re: Request for Water Service  
Project Update**

Dear Mr. Brasher:

When Tubac 40 L.L.C. requested to be included in Baca Float Water Company's service area in early 2007, it was anticipated that we would be breaking ground on our project in mid-2008. It was not anticipated that we would be in a worldwide recession at that time. As the current market conditions worsen it is unfeasible to proceed with new construction of a master planned community in 2012 as planned. Due to the economic conditions throughout the nation, the state and in Santa Cruz County, the developers for the Tubac 40 have put their plans on hold until financing can be arranged to continue the development. The situation in Santa Cruz County is so extreme, the Board of Supervisors have agreed to waive the annual "project renewal application process and fees" for all developments which have been approved by the board, but which have not begun development yet. The county has recognized that this current economic slowdown has rivaled some of the worst ever seen in the United States and is most likely the worse ever experienced here in Santa Cruz County. In recognition of that fact they passed the above referenced resolution.

The revised plan is to move the groundbreaking to the summer of 2014 in anticipation of a recovery from this current situation. We support your request for your service area extension and very much desire to remain in the Baca Float Water Company service area, as this is a critical service to the community.

Please contact me if you have any questions.

Sincerely,

Tubac 40 L.L.C. an Arizona Limited Liability Corporation

By: 

Name: Dave Grounds

Title: Vice President