

OPEN MEETING AGENDA ITEM



0000136079

BEFORE THE ARIZONA CORPORATION

COMMISSIONERS

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

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL

2012 APR 24 PM 3 02

Arizona Corporation Commission

DOCKETED

APR 24 2012

DOCKETED BY	<i>MM</i>
-------------	-----------

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS ANTHEM WATER DISTRICT AND ITS SUN CITY WATER DISTRICT.

DOCKET NO. W-01303A-09-0343

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS ANTHEM/AGUA FRIA WASTEWATER DISTRICT, ITS SUN CITY WASTEWATER DISTRICT AND ITS SUN CITY WEST WASTEWATER DISTRICT.

DOCKET NO. SW-01303A-09-0343

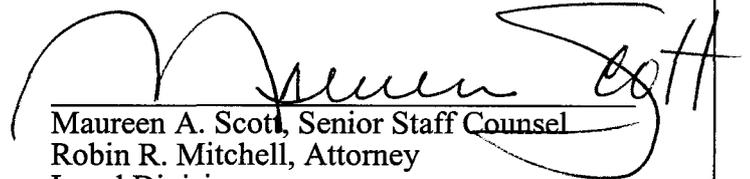
STAFF'S RESPONSE IN SUPPORT OF EPCOR'S REQUEST FOR A NUNC PRO TUNC ORDER CORRECTING DECISION NO. 72047

On January 6, 2011, the Commission issued Decision No. 72047 authorizing new rates for Arizona-American Water Company's (now doing business as EPCOR Water Arizona, Inc.)(the "Company" or "EPCOR") Anthem Water, Sun City Water, Anthem/Agua Fria Wastewater, Sun City Wastewater and Sun City West Wastewater Districts. Exhibit A to Decision No. 72047 contained the new tariffs for each of those Districts. The Company has recently discovered that the tariffs for Sun City Wastewater and Sun City West Wastewater contain several inadvertent omissions with respect to Single and Multi Unit commercial 5/8" thru 2" customers. The existing rate structure for these Districts contained rate tier structures for Single and Multi Unit commercial 5/8" thru 2" customers which set a commodity rate tier limit that varies by meter size. The Company correctly notes that

1 neither Staff or any other party to the case indicated any desire to deviate from the existing rate tier
2 structures for Single and Multi Unit commercial 5/8" thru 2" customers. Thus the omissions appear
3 to be purely typographical in nature. To further support its position, the Company notes that the
4 proofs of revenue undertaken by Staff and the Company after the Open Meeting on this matter,
5 considered only the existing tier structures for Single and Multi Unit commercial customers further
6 confirming that the omissions are typographical in nature.

7 The Staff supports EPCOR's request for entry of a procedural order Nunc Pro Tunc correcting
8 Decision No. 72047 in the manner discussed above.

9 RESPECTFULLY SUBMITTED this 24th day of April, 2012.

10
11 

12 Maureen A. Scott, Senior Staff Counsel
13 Robin R. Mitchell, Attorney
14 Legal Division
15 Arizona Corporation Commission
16 1200 West Washington Street
17 Phoenix, Arizona 85007
18 (602) 542-3402

16 Original and thirteen (13) copies
17 of the foregoing filed this
18 24th day of April, 2012, with:

19 Docket Control
20 Arizona Corporation Commission
21 1200 West Washington Street
22 Phoenix, Arizona 85007

23 Copies of the foregoing emailed/mailed
24 this 24th day of April, 2012, to:

25 Judith M. Dworkin
26 Roxanne S. Gallagher
27 Sacks Tierney PA
28 4250 North Drinkwater Blvd, 4th Floor
Scottsdale, Arizona 85251-3693
Attorneys for Anthem Community Council

Daniel Pozefsky, Chief Counsel
Residential Utility Consumer Office
1110 West Washington Street, Suite 220
Phoenix, Arizona 85007

Lawrence V. Robertson, Jr.
Post Office Box 1448
Tubac, Arizona 85646-1448
Attorney for Anthem Community Council

Larry Woods, President
Property Owners and Residents Association
13815 East Camino Del Sol
Sun City West, Arizona 85375

1 W.R. Hansen
12302 West Swallow Drive
2 Sun City West, Arizona 85375
3 Greg Patterson
916 West Adams Street, Suite 3
4 Phoenix, Arizona 85007
Attorney for WUAA
5
6 Bradley J. Herrema
Robert J. Saperstein
Brownstein Hyatt Farber Schreck, LLP
7 21 East Carrillo Street
Santa Barbara, California 93101
8 Attorneys for Anthem Golf and Country Club
9 Jeffrey W. Crockett
Brownstein Hyatt Farber Schreck
10 One East Washington Street, Suite 2400
Phoenix, Arizona 85004
11 Attorney for the Resorts
12 Andrew M. Miller, Esq.
Town of Paradise Valley
13 6401 East Lincoln Drive
Paradise Valley, Arizona 85253
14 Norman D. James
Fennemore Craig, PC
15 3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012
16 Attorney for DMB White Tank LLC
17 Larry D. Woods
15141 West Horseman Lane
18 Sun City West, Arizona 85375
19 Joan S. Burke, Esq.
Law Office of Joan S. Burke
20 1650 North First Avenue
Phoenix, Arizona 85003
21 Attorney for Corte Bella Golf Club
22 Philip H. Cook
23 10122 West Signal Butte Circle
Sun City, Arizona 85373
24
25
26
27
28

Michele L. Van Quathem
Ryley Carlock & Applewhite
One North Central Avenue, Suite 1200
Phoenix, Arizona 85004-4417
Attorney for Verrado Community
Association, Inc.

Pauline A. Harris Henry
President, Board of Directors
Russell Ranch Homeowners' Association, Inc.
21448 North 75th Avenue, Suite 6
Glendale, Arizona 85308

Frederick G. Botha
Mary L. Botha
23024 North Giovota Drive
Sun City West, Arizona 85375

Gary Verburg, City Attorney
Daniel L. Brown, Assistant City Attorney
Office of the City Attorney
200 West Washington, Suite 1300
Phoenix, Arizona 85003-1611

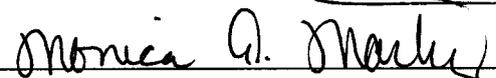
Troy Stratman, Esq.
Mack Drucker & Watson, PLC
3200 North Central Avenue, Suite 1200
Phoenix, Arizona 85012
Attorneys for Corte Bella Country Club
Association, Inc.

Desi Howe
Anthem Golf and Country Club
2708 W. Anthem Club Drive
Anthem, AZ 85086

Marshall Magruder
P.O. Box 1267
Tubac, AZ 85646

Jay Shapiro
Patrick Black
Fennemore Craig, P.C.
3003 N. Central Ave., Suite 2600

Sun City Grand Community Association
Palm Center
19726 N. Remington Drive
Surprise, AZ 85374



Monica A. Markley