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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

DEC 12 2012

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

DOCKETED BY
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IN THE MATTER OF THE APPLICATION OF
GLOBAL WATER-PICACHO COVE UTILITIES
COMPANY FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. SW-20494A-06-0769

IN THE MATTER OF THE APPLICATION OF
GLOBAL WATER-PICACHO COVE WATER
COMPANY FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-20495A-06-0769

DECISION NO. 73618

**SECOND ORDER EXTENDING
TIME DEADLINES CONTAINED IN
DECISION NO. 70312**

Open Meeting
December 11 and 12, 2012
Phoenix, Arizona

BY THE COMMISSION:

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

FINDINGS OF FACT

1. Global Water-Picacho Cove Water Company ("Picacho Water") and Global Water-Picacho Cove Utilities Company ("Picacho Utilities") are wholly owned subsidiaries of Global Water, LLC, which is itself a wholly owned subsidiary of Global Water Resources, Inc.

2. On December 8, 2006, Picacho Water and Picacho Utilities (collectively "Picacho") filed with the Arizona Corporation Commission ("Commission") a joint application for Certificates of Convenience and Necessity ("CC&Ns") to provide water and wastewater service in two separate areas totaling approximately 1,480 acres and located approximately 3 and 4 miles east of the City of Eloy in Pinal County, Arizona ("CC&N area").

3. The owners of the properties in the CC&N area formally requested water and wastewater service from Picacho in December 2007 and intended to develop the land primarily for

1 single-family residential purposes, with development to begin within approximately one year after the
2 Commission granted CC&Ns.¹

3 4. On April 24, 2008, the Commission issued Decision No. 70312, granting Picacho
4 Water and Picacho Utilities CC&Ns to provide water and wastewater service in the CC&N area,
5 subject, *inter alia*, to the following:

- 6 a. Picacho Utilities' filing, as a compliance item in this docket, within 30 days
7 after the effective date of the Decision, a tariff containing specified wastewater
8 service rates and charges;
- 9 b. Picacho Water's filing, as a compliance item in this docket, within 30 days
10 after the effective date of the Decision, a tariff containing specified water
11 service rates and charges;
- 12 c. Picacho's filing, as a compliance item in this docket, within 3 months after the
13 effective date of the Decision, a copy of a bill or bills for both companies, in a
14 form acceptable to Staff and including specified information;²
- 15 d. Picacho's filing, as a compliance item in this docket, within 365 days after the
16 effective date of the Decision, copies of Picacho's Pinal County franchises;
- 17 e. Picacho Utilities' filing, as compliance items in this docket, within 2 years
18 after the effective date of the Decision, the following:
 - 19 i. Copies of Picacho Utilities' General Permits for the collection system
20 for Phase 1 of the initial phase of the Picacho Citrus and Langley
21 Picacho Views developments, and
 - 22 ii. A copy of Picacho Utilities' Aquifer Protection Permit; and
- 23 f. Picacho Water's filing, as compliance items in this docket, within 2 years after
24 the effective date of the Decision, the following:
 - 25 i. Copies of Picacho Water's Approval to Construct for Phase 1 of the
26 initial phase of the Picacho Citrus and Langley Picacho Views

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28 ¹ Decision No. 70312 at 8, 11.

² It does not appear that this filing has been made in this docket.

1 developments;

- 2 ii. Either a copy of Picacho Water's Approval to Construct for an arsenic
3 treatment system or a copy of Picacho Water's ADEQ approval of an
4 arsenic blending plan; and
5 iii. A copy of Picacho Water's Designation of Assured Water Supply
6 ("DAWS") for the CC&N area.

7 5. On May 19, 2008, Picacho Water and Picacho Utilities filed their tariffs for water
8 utility service and wastewater utility service. On July 23, 2008, the Commission's Utilities Division
9 ("Staff") issued Notices of Compliance stating that the tariffs filed had been approved as in
10 compliance with Decision No. 70312.

11 6. On April 24, 2009, Picacho Water and Picacho Utilities filed a Notice of Filing their
12 Pinal County water and wastewater franchises, which had been granted by the Pinal County Board of
13 Supervisors on April 15, 2009.

14 7. On April 23, 2010, Picacho Water and Picacho Utilities jointly filed a Motion for
15 Extension of Time, requesting that the April 24, 2010, deadline to file the items described in Findings
16 of Fact No. 4(e) and (f) be extended to October 30, 2012.

17 8. On July 19, 2010, Staff issued a Memorandum stating that it was not unreasonable for
18 Picacho to seek an extension of time based on postponed development in the real estate market and
19 the economic downturn. Staff noted that Picacho had provided Staff with an updated request for
20 service from the developer on July 2, 2010. Staff stated that it did not object to Picacho's request for
21 an extension of the filing deadlines until October 30, 2012.

22 9. On September 28, 2010, the Commission issued Decision No. 71900 extending the
23 deadline to October 30, 2012, for Picacho Utilities to file copies of its General Permits for the
24 collection system for Phase 1 of the initial phase of the Picacho Citrus and Langley Picacho Views
25 developments and to file a copy of its Aquifer Protection Permit. Decision No. 71900 also extended
26 the deadline to October 30, 2012, for Picacho Water to file copies of Picacho Water's Approval to
27 Construct for Phase 1 of the initial phase of the Picacho Citrus and Langley Picacho Views
28 developments, to file either a copy of Picacho Water's Approval to Construct for an arsenic treatment

1 system or a copy of Picacho Water's ADEQ approval of an arsenic blending plan, and to file a copy
2 of Picacho Water's Designation of Assured Water Supply for the CC&N area.

3 10. On October 30, 2012, Picacho filed a second Motion for Extension of Time,
4 requesting an extension of the deadlines granted by Decision No. 71900 to October 30, 2015.
5 Picacho attached to the motion renewed request for service letters from the two landowners in the
6 CC&N area.³ Therein, Picacho notes that the Memorandum of Understanding it entered with the City
7 of Eloy regarding regional planning, water resources management, and economic development,
8 related to the CC&N area still remains in effect. Picacho states that it would be inappropriate to
9 proceed with the DAWS, APP and other permits, when they are not necessary at this time.

10 11. On November 13, 2012, Staff filed a Memorandum addressing Picacho's filing. Staff
11 states that based on the economic downturn and decline in housing construction in Arizona, and
12 based on the updated request for service letters from the property owners in the CC&N area, it
13 recommends that Picacho be granted a second extension of time. Staff states that because Picacho
14 has already received one two-year extension of time for the same compliance items, Staff
15 recommends a two year extension of time until October 30, 2014.

16 12. For the reasons cited in Decision No. 71900, it is reasonable and appropriate to grant
17 Picacho the extension of time it requests, until October 30, 2015, to file with Docket Control, as
18 compliance items in this docket, the documents described in Findings of Fact No. 4(e) and (f).

19 CONCLUSIONS OF LAW

20 1. Picacho Water and Picacho Utilities are public service corporations within the
21 meaning of Article XV of the Arizona Constitution and A.R.S. Title 40, Chapter 2.

22 2. The Commission has jurisdiction over Picacho Water and Picacho Utilities and the
23 subject matter of their joint second Motion for Extension of Time.

24 3. It is reasonable to extend, to October 30, 2015, the deadlines for Picacho Water and
25 Picacho Utilities to file the documents described in Findings of Fact No. 4(e) and (f).

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28 ³ Picacho Citrus 930, LLC and LLF Picacho Citrus, LLC and Langley Picacho Views 160, LLC.

1 4. It is not necessary for the Commission to hold an evidentiary hearing before extending
2 the deadlines for Picacho Water and Picacho Utilities to file the documents described in Findings of
3 Fact No. 4(e) and (f).

4 **ORDER**

5 IT IS THEREFORE ORDERED that the deadline for Global Water-Picacho Cove Utilities
6 Company to file the following with the Commission's Docket Control, as compliance items in this
7 docket, as required by Decision No. 70312, is hereby extended to October 30, 2015:

- 8 1. Copies of Picacho Utilities' General Permits for the collection system for Phase 1 of
- 9 the initial phase of the Picacho Citrus and Langley Picacho Views developments, and
- 10 2. A copy of Picacho Utilities' Aquifer Protection Permit.

11 IT IS FURTHER ORDERED that the deadline for Global Water-Picacho Cove Water
12 Company to file the following with the Commission's Docket Control, as compliance items in this
13 docket, as required by Decision No. 70312, is hereby extended to October 30, 2015:

- 14 1. Copies of Picacho Water's Approval to Construct for Phase 1 of the initial phase of
- 15 the Picacho Citrus and Langley Picacho Views developments,
- 16 2. Either a copy of Picacho Water's Approval to Construct for an arsenic treatment
- 17 system or a copy of Picacho Water's ADEQ approval of an arsenic blending plan, and
- 18 3. A copy of Picacho Water's Designation of Assured Water Supply for the CC&N area.

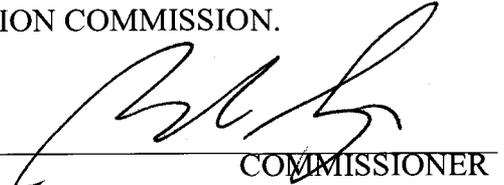
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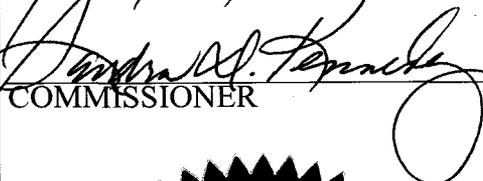
1 IT IS FURTHER ORDERED that all other provisions of Decision No. 70312 shall remain in
2 effect.

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

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

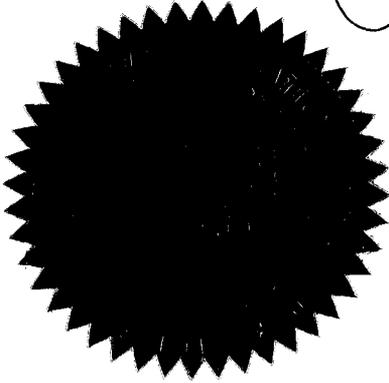
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7 CHAIRMAN


COMMISSIONER

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9 COMMISSIONER

EXCUSED
COMM. NEWMAN
COMMISSIONER


COMMISSIONER



10 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
11 Executive Director of the Arizona Corporation Commission,
12 have hereunto set my hand and caused the official seal of the
13 Commission to be affixed at the Capitol, in the City of Phoenix,
14 this 12th day of December, 2012.


15 ERNEST G. JOHNSON
16 EXECUTIVE DIRECTOR

17 DISSENT _____

18 DISSENT _____

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1 SERVICE LIST FOR: GLOBAL WATER-PICACHO COVE UTILITIES
2 COMPANY and GLOBAL WATER-PICACHO COVE
3 WATER COMPANY

4 DOCKET NOS: SW-20494A-06-0769 and W-20495A-06-0769

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