

ORIGINAL

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

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2013 JUN -6 P 3:13

Arizona Corporation Commission

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IN THE MATTER OF THE APPLICATION OF ARIZONA WATER COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY, AND FOR ADJUSTMENTS TO ITS RATES AND CHARGES FOR UTILITY SERVICE FURNISHED BY ITS EASTERN GROUP AND FOR CERTAIN RELATED APPROVALS.

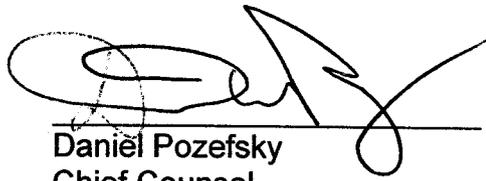
Docket No. W-01445A-11-0310

COMMENTS OF THE RESIDENTIAL UTILITY CONSUMER OFFICE

Based on the circumstances of this case, RUCO does not take exception to the Phase II Recommended Opinion and Order ("ROO").

RUCO's position on the ROO, however, is not to be interpreted as agreement with the ROO's legal analysis, approval of the SIB in any future rate case, or agreement in any manner to a cost of capital in a future rate case. Simply stated, RUCO's position relates to this case and the circumstances of this case and RUCO reserves its right to make any legal or other argument in the future as it relates to the SIB, the cost of capital and any other rate case element at issue without establishing any precedent and/or policy in this case.

1 **RESPECTFULLY SUBMITTED this 6th day of June, 2013**

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5 **Daniel Pozefsky**
6 **Chief Counsel**

7 **AN ORIGINAL AND THIRTEEN COPIES**
8 **of the foregoing filed this 6th day**
9 **of June 2013 with:**

10 **Docket Control**
11 **Arizona Corporation Commission**
12 **1200 West Washington**
13 **Phoenix, Arizona 85007**

14 **COPIES of the foregoing hand delivered/**
15 **mailed this 6th day of June, 2013 to:**

16 **The Honorable Sarah Harping**
17 **Administrative Law Judge**
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By Cheryl Fraulob
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