

OPEN MEETING ITEM



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COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

ORIGINAL



ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

AUG 14 2013

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

DATE:

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AUGUST 14, 2013

DOCKET NO.:

W-02301A-05-0873

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Jane L. Rodda. The recommendation has been filed in the form of an Order on:

TORTOLITA WATER COMPANY
(EXTENDING TIME DEADLINE CONTAINED IN DECISION NOS. 68864 AND 72632)

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:

AUGUST 23, 2013

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:

SEPTEMBER 10, 2013 AND SEPTEMBER 11, 2013

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.


 JODI JERICH
 EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347
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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SABernal@azcc.gov.

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 BOB STUMP - Chairman
4 GARY PIERCE
5 BRENDA BURNS
6 BOB BURNS
7 SUSAN BITTER SMITH

8 IN THE MATTER OF THE APPLICATION OF
9 TORTOLITA WATER COMPANY FOR A RATE
10 INCREASE.

DOCKET NO. W-02301A-05-0873

DECISION NO. _____

ORDER EXTENDING TIME
DEADLINE CONTAINED IN
DECISION NOS. 68864 AND 72632

11 Open Meeting
12 September 10 & 11, 2013
13 Phoenix, Arizona

14 **BY THE COMMISSION:**

15 * * * * *

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

18 **FINDINGS OF FACT**

19 1. Tortolita Water Company, Inc. ("Tortolita" or "Company") is located in a
20 development called Garden Estates located in an area of Pima County northwest of Tucson.

21 2. In Decision No. 68864 (July 28, 2006), the Commission approved a rate increase for
22 Tortolita. As part of that Decision, the Commission required Tortolita to file a rate case within five
23 years of the effective date of the Decision.¹

24 3. In Decision No. 72632 (October 14, 2011), the Commission approved an extension of
25 time for Tortolita to file a rate case until July 28, 2013, because although Decision No. 68864 had
26 assumed that the Company would be serving 25 lots in 2011, Tortolita only had two customers.

27 ¹ Tortolita received a Certificate of Convenience and Necessity in Decision No. 55928 (March 28, 1988) when it
28 purchased the assets of the Tortolita Water system. Tortolita's water system was designed in 1976 to serve 12 lots which
were never built. When it filed its 2005 rate case, the Company reported that the system was expanded to serve a
subdivision of 25 lots. When it filed that rate case, it had one customer.

1 IT IS FURTHER ORDERED that Tortolita Water Company, Inc. shall notify the
2 Commission, by filing a Notice with Docket Control in this docket, when it begins providing service
3 to its 10th customer.

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

5 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.
6
7

8 CHAIRMAN _____ COMMISSIONER

9
10 COMMISSIONER _____ COMMISSIONER _____ COMMISSIONER

11
12 IN WITNESS WHEREOF, I, JODI JERICH, Executive
13 Director of the Arizona Corporation Commission, have
14 hereunto set my hand and caused the official seal of the
15 Commission to be affixed at the Capitol, in the City of Phoenix,
16 this _____ day of _____ 2013.

17 _____
18 JODI JERICH
19 EXECUTIVE DIRECTOR

20 DISSENT _____

21 DISSENT _____
22 JR:tv

1 SERVICE LIST FOR:

TORTOLITA WATER COMPANY, INC.

2 DOCKET NO.:

W-02301A-05-0873

3 Daniel H. O'Connell, President
4 Tortolita Water Company, Inc.
5 3573 E. Sunrise Dr., Ste 133
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6 Janice Alward, Chief Counsel
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8 ARIZONA CORPORATION COMMISSION
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