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COMMISSIONERS

BOB STUMP, Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

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

NOTICE OF WAIVER OF APPEARANCE

GALLAGHER & KENNEDY, P.A.
2575 E. CAMELBACK ROAD
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On February 15, 2013, the Arizona Investment Council ("AIC") intervened in this matter for the limited purpose of supporting Arizona Water's request for a Distribution System Improvement Charge ("DSIC"). On June 27, 2013, the Commission issued its Phase 2 Decision in this matter (No. 73938) which, among other things, approved a DSIC.

Following the filing of an Application for Rehearing by the Residential Utility Consumer Office, the Commission has granted the Application for Rehearing of Decision No. 73938 and also for the purpose of consideration of modifying Decision No. 73736 (the "Initial Rate Case Decision") "concerning the determination related to the return on equity." The AIC was not a party to and did not participate in the proceedings leading to issuance of the Initial Rate Case Decision and did not file testimony on any of its issues, including the appropriate return on equity.

1 For that reason, the AIC does not plan to participate in these further proceedings and
2 gives this notice of its waiver of appearance.

3 RESPECTFULLY SUBMITTED this 30th day of August, 2013.

4 GALLAGHER & KENNEDY, P.A.

5
6 By 
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10 Attorneys for Arizona Investment Council

9 **Original and 13 copies** filed this
10 30th day of August, 2013, with:

11 Docket Control
12 Arizona Corporation Commission
13 1200 West Washington Street
14 Phoenix, Arizona 85007

15 **Copies** of the foregoing delivered
16 this 30th day of August, 2013, to:

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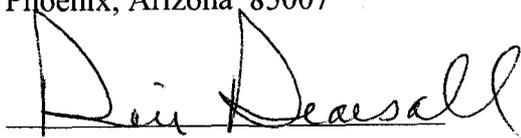
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