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7 **BEFORE THE ARIZONA CORPORATION COMMISSION**

8 IN THE MATTER OF THE APPLICATION
 9 OF RIO RICO UTILITIES, INC. FOR AN
 10 EXTENSION OF AN EXISTING
 11 CERTIFICATE OF CONVENIENCE AND
 12 NECESSITY TO PROVIDE WATER UTILITY
 13 SERVICE IN SANTA CRUZ COUNTY,
 14 ARIZONA

DOCKET NO. WS-02676A-11-0134

**MOTION FOR EXTENSION OF
TIME TO COMPLY WITH
DECISION NO. 72732**

15 Liberty Utilities (Rio Rico Water & Sewer), Corp., f/k/a Rio Rico Utilities, Inc.
 16 (“RRUI”), an Arizona public service corporation, hereby submits this Motion for
 17 Extension of Time to Comply with Decision No. 72732 (January 6, 2102)(“Order”). The
 18 Order requires, among other things, that RRUI file a copy of its amended Franchise
 19 Agreement with the County of Santa Cruz, as well as all Approvals to Construct
 20 (“ATCs”) for infrastructure intended to serve the Palo Parado development, by January 6,
 21 2014. By this Motion, RRUI is requesting that the Arizona Corporation Commission
 22 grant an extension of the deadline contained in the Order for two (2) years.

23 Despite several attempts to finalize an amended Franchise Agreement with the
 24 County of Santa Cruz (“County”), RRUI has been unable to get the County to respond in
 25 a timely manner. Efforts to secure an amended franchise agreement began approximately
 26 one year before the January 6, 2014 deadline. While RRUI is confident that an amended
 franchise agreement can be concluded with the County in the near future, certain County
 approvals may be required that would not result in a fully executed amended franchise

1 agreement before January 6, 2014.

2 By contrast, the developer of the Palo Parado subdivision, Windward Partners XIV,
3 LLC ("Windward"), has yet to obtain the ATCs for the subdivision. As is the case with
4 many developers, the housing market has been slow to recover from the economic
5 downturn beginning in 2007. At the time RRUI obtained approval to extend its service
6 area, Windward anticipated that the market would be in recovery over the next two years.
7 However, this has not occurred. Windward hopes to begin construction of new homes by
8 January 2016.

9 Based on the foregoing, RRUI respectfully requests that the Commission issue an
10 order extending the deadline in the Order from January 6, 2014 to January 6, 2016.

11 RESPECTFULLY SUBMITTED this 12th day of November, 2013.

12 FENNEMORE CRAIG, P.C.

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By: 

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18 **ORIGINAL** and 13 copies filed
this 12th day of November, 2013 with:

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Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

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22 COPY of the foregoing hand-delivered
this 12th day of November, 2013 to:

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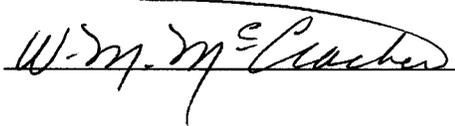
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