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**BEFORE THE ARIZONA CORPORATION**

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

Arizona Corporation Commission

**DOCKETED**

JAN - 7 2014

DOCKETED BY	nr
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IN THE MATTER OF THE APPLICATION OF  
OAK CREEK WATER COMPANY NO. 1 FOR  
APPROVAL OF AUTHORITY TO ISSUE LONG-  
TERM PROMISSORY NOTES OR BONDS AND  
OTHER EVIDENCE OF INDEBTEDNESS.

DOCKET NO. W-01392A-09-0273

DECISION NO. 74260

**ORDER EXTENDING TIME  
DEADLINE CONTAINED IN  
DECISION NO. 72286**

Open Meeting  
December 17 and 18, 2013  
Phoenix, Arizona

**BY THE COMMISSION:**

\* \* \* \* \*

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

**FINDINGS OF FACT**

1. On May 4, 2011, the Arizona Corporation Commission (“Commission”) issued Decision No. 72286 which approved an application by Oak Creek Water Company No. 1 (“Oak Creek” or “Company”) for approval of an application to obtain long-term debt in an amount not to exceed \$440,000 at an interest rate not to exceed 6.60 percent per annum and for a period of no longer than 22 years. The source of this long-term financing for the Company was the Water Infrastructure Finance Authority (“WIFA”).

2. As a condition of the Commission’s approval for Oak Creek’s securing the long-term financing, the Company was required to file, by September 1, 2013, with the Commission’s docket control, as a compliance item in this docket, a copy of the Arizona Department of Environmental Quality (“ADEQ”) Certificate of Approval of Construction (“AOC”) for the proposed capital

1 improvements listed in Project No. 1 described in the Company's funding request.

2 3. On August 6, 2013, Oak Creek filed a request to extend the deadline for meeting the  
3 above-referenced condition until December 31, 2014.

4 4. In its request for an extension, the Company states that after obtaining a \$440,000 loan  
5 from WIFA, it spent a portion of its funds to finalize engineering drawings and specifications for the  
6 planned improvements to its system.

7 5. Oak Creek, in its request for an extension of time, cites several factors for the need for  
8 additional time to meet the Commission's condition for filing a copy of the AOC after it is issued by  
9 ADEQ. The Company stated that time was required to obtain the necessary right-of-ways from the  
10 U.S. Forest Service and private entities as the primary reason for the delays in construction.

11 6. The Company stated additionally, that it was soliciting bids and expected to make a  
12 selection of a contractor by August 31, 2013, after which it will take approximately 12 to 18 months  
13 to complete construction and obtain the necessary documentation to be filed with the Commission.

14 7. The Company also cited inclement weather during winter months that will require a  
15 work stoppage for several months.

16 8. On November 19, 2013, the Commission's Utilities Division ("Staff") filed a  
17 memorandum which states that Staff does not object to the Company's request for an extension of  
18 time to enable Oak Creek to file a copy of the AOC by December 31, 2014. Additionally, Staff  
19 indicated that the Company's attorney had been contacted, that Oak Creek had selected a general  
20 contractor, and that construction had begun on October 18, 2013. Based on these representations,  
21 Staff supports the Company's request for an extension.

22 9. Under the circumstances, the request by Oak Creek for an extension of time until  
23 December 31, 2014, in which to file a copy of the ADEQ AOC should be granted.

24 **CONCLUSIONS OF LAW**

25 1. Oak Creek is a public service corporation within the meaning of Article XV of the  
26 Arizona Constitution and A.R.S. §§ 40-252, 40-285, 40-301, and 40-302.

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2. The Commission has jurisdiction over Oak Creek and of the subject matter of the request herein.

3. Staff's recommendation for the extension of time for Oak Creek to file a copy of the ADEQ AOC until December 31, 2014, should be adopted.

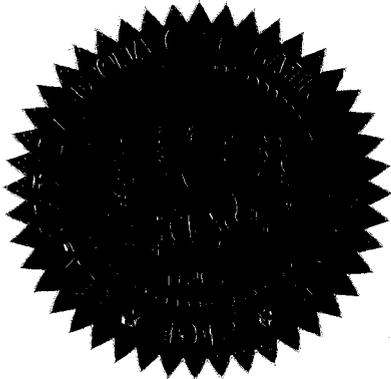
**ORDER**

IT IS THEREFORE ORDERED that Oak Creek Water Company No. 1 is hereby granted an extension of time, until December 31, 2014, to file a copy of the Arizona Department of Environmental Quality Certificate of Approval of Construction for the proposed capital improvements listed in Project No. 1 as described in Decision No. 72286.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

Handwritten signatures of three commissioners over their respective titles: CHAIRMAN, COMMISSIONER, COMMISSIONER, COMMISSIONER.



IN WITNESS WHEREOF, I, JODI A. JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 7th day of January 2014.

Handwritten signature of Jodi A. Jerich over the printed name JODI JERICH EXECUTIVE DIRECTOR.

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

MES:tv

1 SERVICE LIST FOR: OAK CREEK WATER COMPANY NO. 1

2 DOCKET NO. W-01392A-09-0273

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