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OPEN MEETING AGENDA ITEM

BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

RECEIVED  
AZ CORP COMMISSION  
DOCKET CONTROL

2014 JAN 30 PM 3 09

ORIGINAL

THE MATTER OF THE APPLICATION OF )  
 VALENCIA WATER COMPANY –TOWN DIVISION ) DOCKET NO. W-01212A-12-0309  
 FOR THE ESTABLISHMENT OF JUST AND )  
 REASONABLE RATES AND CHARGES FOR )  
 UTILITY SERVICE DESIGNED TO REALIZE A )  
 REASONABLE RATE OF RETURN ON THE FAIR )  
 VALUE OF ITS PROPERTY THROUGHOUT THE )  
 STATE OF ARIZONA. )

IN THE MATTER OF THE APPLICATION OF ) DOCKET NO. SW-20445A-12-0310  
 GLOBAL WATER – PALO VERDE UTILITIES )  
 COMPANY FOR THE ESTABLISHMENT OF JUST )  
 AND REASONABLE RATES AND CHARGES FOR )  
 UTILITY SERVICE DESIGNED TO REALIZE A )  
 REASONABLE RATE OF RETURN ON THE FAIR )  
 VALUE OF ITS PROPERTY THROUGHOUT THE )  
 STATE OF ARIZONA )

IN THE MATTER OF THE APPLICATION OF ) DOCKET NO. W-03720A-12-0311  
 WATER UTILITY OF NORTHERN SCOTTSDALE )  
 FOR APPROVAL OF A RATE INCREASE. )

IN THE MATTER OF APPLICATION OF WATER ) DOCKET NO. W-02450A-12-0312  
 UTILITY OF GREATER TONOPAH FOR THE )  
 ESTABLISHMENT OF JUST AND REASONABLE )  
 RATES AND CHARGES FOR UTILITY SERVICE )  
 DESIGNED TO REALIZE A REASONABLE RATE )  
 OF RETURN ON THE FAIR VALUE OF ITS )  
 PROPERTY THROUGHOUT THE STATE OF )  
 ARIZONA. )

IN THE MATTER OF THE APPLICATION OF ) DOCKET NO. W-02451A- 12-0313  
 VALENCIA WATER COMPANY – GREATER )  
 BUCKEYE DIVISION FOR THE ESTABLISHMENT )  
 OF JUST AND REASONABLE RATES AND )  
 CHARGES FOR UTILITY SERVICE DESIGNED TO )  
 REALIZE A REASONABLE RATE OF RETURN ON )  
 THE FAIR VALUE OF ITS PROPERTY )  
 THROUGHOUT THE STATE OF ARIZONA. )

LAWRENCE V. ROBERTSON, JR.  
ATTORNEY AT LAW  
P. O. Box 1448  
Tubac, Arizona 85646

Arizona Corporation Commission  
DOCKETED

JAN 30 2014

DOCKETED BY

LAWRENCE V. ROBERTSON, JR.  
ATTORNEY AT LAW  
P. O. Box 1448  
Tubac, Arizona 85646

1 IN THE MATTER OF THE APPLICATION OF )  
GLOBAL WATER – SANTA CRUZ WATER ) DOCKET NO. W-20446A-12-0314  
2 COMPANY FOR THE ESTABLISHMENT OF JUST )  
AND REASONABLE RATES AND CHARGES FOR )  
3 UTILITY SERVICE DESIGNED TO REALIZE A )  
REASONABLE RATE OF RETURN ON THE FAIR )  
4 VALUE OF ITS PROPERTY THROUGHOUT THE )  
STATE OF ARIZONA. )

6 IN THE MATTER OF THE APPLICATION OF ) DOCKET NO. W-01732A-12-0315  
WILLOW VALLEY WATER COMPANY FOR THE )  
7 ESTABLISHMENT OF JUST AND REASONABLE ) NOTICE OF FILING OF CITY OF  
RATES AND CHARGES FOR UTILITY SERVICE ) MARICOPA, ARIZONA'S  
8 DESIGNED TO REALIZE A REASONABLE RATE ) "EXCEPTIONS" FOR PURPOSES  
OF RETURN ON THE FAIR VALUE OF ITS ) OF CLARIFICATION TO  
9 PROPERTY THROUGHOUT THE STATE OF ) RECOMMENDED OPINION AND  
10 ARIZONA. ) ORDER

11 The City of Maricopa, Arizona hereby provides notice of filing of its "Exceptions" to the  
12 January 21, 2014 Recommended Opinion and Order.

14 Dated this 30<sup>th</sup> day of January 2014.

15 Respectfully submitted,

16 

17 Lawrence V. Robertson, Jr.  
Attorney for City of Maricopa

18 and

19 Denis Fitzgibbons  
20 City Attorney for  
21 City of Maricopa, Arizona

22 The original and thirteen (13) copies  
of the foregoing will be filed the 30<sup>th</sup>  
23 day of January 2014 with:

24 Docket Control Division  
25 Arizona Corporation Commission  
1200 West Washington Street  
26 Phoenix, Arizona 85007

27 A copy of the same served by e-mail  
28 or first class mail that same date to:

All Parties of Record

LAWRENCE V. ROBERTSON, JR.  
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**City of Maricopa’s “Exceptions” for Purposes of  
Clarification to Recommended Opinion and  
Order**

**January 30, 2014**

LAWRENCE V. ROBERTSON, JR.  
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P. O. Box 1448  
Tubac, Arizona 85646

1 Pursuant to A.A.C. R14-3-110 and the January 21, 2014 Memorandum from the  
2 Commission's Executive Director transmitting the Recommended Opinion and Order ("ROO")  
3 prepared by Assistant Chief Administrative Law Judge Dwight Nodes in the above-captioned  
4 and above-docketed proceedings, the City of Maricopa, Arizona ("City") hereby submits limited  
5 "Exceptions" to certain language of the ROO for purposes of clarification in the manner  
6 hereinbelow described.

7 First, the City suggests that the words "in this case" be inserted between the words  
8 impacted and due, as the latter two words appear at line 9 on page 23 of the ROO. A language  
9 addition of this nature would make clear that it is only the rates of Santa Cruz Water Company  
10 ("Santa Cruz") and Palo Verde Utilities Company ("Palo Verde") ratepayers which will be  
11 increased in the instant proceeding as a result of the de-imputation of CIAC. The de-imputation  
12 of CIAC provided for in the Settlement Agreement presumably will have a rate increase impact  
13 upon other Global Water utility affiliates' ratepayers at future points in time within the context of  
14 future rate proceedings, but not in the instant proceeding. It is because of this immediate impact  
15 upon the ratepayers of Santa Cruz and Palo Verde that they are accorded an eight year phase-in  
16 of that portion of the agreed upon rate increase attributable to the de-imputation of CIAC as to  
17 those systems. It is for that reason that such an "advantage"<sup>1</sup> has been accorded to those  
18 ratepayers. The language addition herein suggested clarifies why such ratemaking treatment is  
19 appropriate at this time.

20 Second, the City suggests that the word "unnecessary" be substituted for the word  
21 unjustified, as the latter appears at line 11 on page 23 of the ROO. The essence of the arguments  
22 made by the City in its Reply Post-Hearing Brief was to the effect that, as a practical matter, it  
23 would be in the best interest of Global Water to adhere to the terms of the Settlement Agreement,  
24 given the Commission's ongoing regulation of Global Water's utility affiliates day-to-day  
25 operations and their role as Global Water's ongoing reliable source of revenue.<sup>2</sup> The City

26 \_\_\_\_\_  
27 <sup>1</sup> The word "advantage" appears on line 8 at page 23 of the ROO.

28 <sup>2</sup> See the City's Reply Post-Hearing Brief at page 9, lines 5 – 13.

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1 believes that use of the word "unjustified" would more accurately reflect the position of the City  
2 in this regard.

3 With the exception of the two points of clarification suggested above, the City has no  
4 other suggestions to make with respect to the ROO.

5  
6 Dated this 30<sup>th</sup> day of January 2014.

8 Respectfully submitted,

9 

10 Lawrence V. Robertson, Jr.  
11 Of Counsel to Munger Chadwick, PLC  
12 Attorney for City of Maricopa

13 and

14 Denis Fitzgibbons  
15 City Attorney for  
16 City of Maricopa, Arizona

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18 of the foregoing will be filed the 30<sup>th</sup>  
19 day of January 2014 with:

20 Docket Control Division  
21 Arizona Corporation Commission  
22 1200 West Washington Street  
23 Phoenix, Arizona 85007

24 A copy of the same served by e-mail  
25 or first class mail that same date to:

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Valencia Water Company - Greater Buckeye Division; Global  
Water - Santa Cruz Water Company and Willow Valley  
Water Co., Inc.; Global Water Resources, Inc.; Hassayampa Utilities Comanay;  
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*Angela R. Lujalla*