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Arizona Corporation Commission

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COMMISSIONERS

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

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

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BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION OF MONTEZUMA RIMROCK WATER COMPANY, LLC FOR APPROVAL OF FINANCING TO INSTALL A WATER LINE FROM THE WELL ON TIEMAN TO WELL NO. 1 ON TOWERS.

Docket No. W-04254A-12-0204

IN THE MATTER OF THE APPLICATION OF MONTEZUMA RIMROCK WATER COMPANY, LLC FOR APPROVAL OF FINANCING TO PURCHASE THE WELL NO. 4 SITE AND THE COMPANY VEHICLE.

Docket No. W-04254A-12-0205

IN THE MATTER OF THE APPLICATION OF MONTEZUMA RIMROCK WATER COMPANY, LLC FOR APPROVAL OF FINANCING FOR AN 8,000-GALLON HYDRO-PNEUMATIC TANK.

Docket No. W-04254A-12-0206

IN THE MATTER OF THE RATE APPLICATION OF MONTEZUMA RIMROCK WATER COMPANY, LLC.

Docket No. W-04254A-12-0207

JOHN E. DOUGHERTY,

Docket No. W-04254A-11-0323

COMPLAINANT,

V.

MONTEZUMA RIMROCK WATER COMPANY, LLC

RESPONDENT

IN THE MATTER OF THE APPLICATION OF MONTEZUMA RIMROCK WATER COMPANY, LLC FOR APPROVAL OF A RATE INCREASE.

Docket No. W-04254A -08-0361

1 IN THE MATTER OF THE APPLICATION
2 OF MONTEZUMA RIMROCK WATER
3 COMPANY, LLC FOR APPROVAL OF A
4 FINANCING APPLICATION.

Docket No. W-04254A -08-0362

**REQUEST FOR
EMERGENCY/INTERIM RELIEF**

4 Montezuma Rimrock Water Company LLC (“MRWC”) submits the following
5 request for emergency/interim relief in this case. Specifically, MRWC asks for
6 emergency authorization to implement interim rate increases because the Company is in
7 financial distress and does not have sufficient revenue to make the lease payments for the
8 Arsenic Treatment Facility. MRWC is leasing the Arsenic Treatment Facility from
9 Financial Pacific pursuant to an April 12, 2012 lease. MRWC also is leasing an arsenic
10 treatment building from Nile River pursuant to a March 22, 2012 lease. In the pending
11 dockets, MRWC requested approval of those leases and sought approval of rate increases
12 sufficient to cover the lease payments. Commission Staff has recommended approval of
13 those leases with revenue increases sufficient to make the payments. As such, MRWC
14 requests emergency authorization to implement the rate increases recommended by Staff.

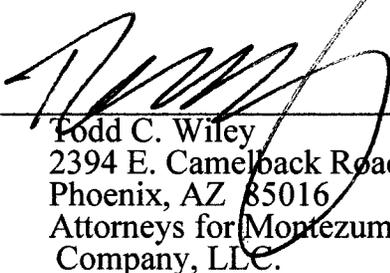
15 MRWC filed its rate application and financing requests on May 31, 2012. The
16 hearing in these consolidated dockets occurred on June 20-21 and June 24-26, 2013. The
17 parties submitted closing briefs on August 30, 2013 and September 20, 2013. Because of
18 the length of time in approving the requested rate increases, MRWC has been unable to
19 pay the lease payments for the Arsenic Treatment Facility in full and the Lessors noted
20 above have requested that MRWC voluntarily surrender the Arsenic Treatment Facility
21 for non-payment. As noted in the Company’s filing on December 27, 2013, MRWC has
22 been providing water that meets applicable arsenic standards and the Company has
23 achieved compliance with ADEQ’s Administrative Order relating to arsenic standards.

24 Under these circumstances, MRWC requests authority to implement emergency
25 /interim rate increases sufficient to cover the lease payments for the Arsenic Treatment
26 Facility, subject to true-up or refund upon a final decision in the pending dockets.

1 MRWC further requests expedited consideration of this request given the financial
2 distress of the Company and the circumstances noted above. MRWC asserts that this
3 relief is necessary in the public interest of MRWC's customers, to ensure the safety and
4 security of the Arsenic Treatment Facility currently being used to provide safe drinking
5 water to MRWC's customers and to prevent the surrender of the Arsenic Treatment
6 Facility. MRWC also asks that the Company be copied directly on any and all filings
7 related to this request at the following address: Patricia Olsen, Montezuma Rimrock
8 Water Co., 3031 E. Beaver Creek Road, Rimrock, AZ 86335,
9 patsy@montezumawater.com.

10 RESPECTFULLY SUBMITTED this 7th day of March, 2014.

11 FENNEMORE CRAIG

12
13
14 By 

Todd C. Wiley
2394 E. Camelback Road, Suite 600
Phoenix, AZ 85016
Attorneys for Montezuma Rimrock Water
Company, LLC.

17 An original and 13 copies
18 of the foregoing was filed
19 this 7th day of March, 2014,
20 with:

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

25 A copy of the foregoing
26 was hand delivered/mailed/emailed this
7th day of March, 2014, to:

Sarah N. Harpring
Administrative Law Judge
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