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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

APR 18 2014

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

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IN THE MATTER OF THE APPLICATION OF CERBAT WATER COMPANY FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-02391A-13-0234

DECISION NO. 74440

ORDER

Open Meeting  
April 8 and 9, 2014  
Phoenix, Arizona

BY THE COMMISSION:

\* \* \* \* \*

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

Procedural History

1. On July 2, 2013, Cerbat Water Company ("Cerbat" or "Company") filed with the Commission an application for a permanent rate increase. Cerbat included an Affidavit of Mailing with its Application confirming that it notified its customers of the Application by means of a bill insert that was mailed on July 2, 2013.
2. On July 31, 2013, the Commission's Utilities Division ("Staff") filed a Letter of Deficiency stating that Cerbat's Application did not meet the sufficiency requirements of Arizona Administrative Code ("A.A.C.") R14-2-103.
3. On August 2, 2013, Staff filed a Letter of Sufficiency stating that Cerbat's Application had met the sufficiency requirements outlined in A.A.C. R14-2-103, and that the Company had been classified as a Class D Utility. According to the Sufficiency Letter, Staff anticipated filing its Staff Report by October 17, 2013.

1           4.     On August 8, 2013, Cerbat filed an amended Schedule of Current and Proposed  
2 Charges.

3           5.     On August 13, 2013, Cerbat filed a proposed Curtailment Tariff.

4           6.     On August 19, 2013, Cerbat filed a revised Curtailment Tariff.

5           7.     On October 17, 2013, Staff filed an unopposed Request for Extension to file its Staff  
6 Report. Staff indicated that it would not be able to meet the October 17, 2013, deadline for filing the  
7 Staff Report and requested an extension of the deadline to October 31, 2013.

8           8.     On October 18, 2013, Cerbat filed an updated "Terms and Conditions" of service.

9           9.     By Procedural Order dated October 21, 2013, Staff's Request for Extension was  
10 granted.

11          10.    On October 31, 2013, Staff filed a Staff Report that recommended approval of Staff's  
12 proposed rates and charges conditioned upon the Company establishing a payment plan with the  
13 Mohave County Assessor's Office for the Company's delinquent property taxes. Any Comments to  
14 the Staff Report were due on or before November 12, 2013. No Comments were filed.

15          11.    On November 14, 2013, Staff filed an Amended Staff Report, recommending approval  
16 of Staff's recommended rates and charges, contingent on the Company establishing a payment plan  
17 with the Mohave County Assessor's office for its delinquent property taxes. The Amended Staff  
18 Report requested that any Comments be filed by November 22, 2013. No Comments were filed.

19          12.    On November 18, 2013, Staff filed a Notice of Errata that corrected some of the  
20 recommended rates contained in the Amended Staff Report.

21          13.    By Procedural Order dated November 25, 2013, Staff was directed to provide  
22 additional information concerning the Application and Amended Staff Report, and the time clock  
23 established by A.A.C. R14-2-103 was suspended indefinitely to allow for a complete and accurate  
24 record.

25          14.    The November 25, 2013 Procedural Order, directed Staff to file the supplemental  
26 information by January 8, 2014. On January 7, 2014, Staff filed a request for extension to file the  
27 Supplemental Staff Report until January 15, 2014, based on the time it took to receive the necessary  
28 information from the Company. Staff's request for extension was granted by Procedural Order dated

1 January 8, 2014.

2 15. On January 15, 2014, Staff filed a Supplemental Staff Report in response to the  
3 Procedural Order. In its Supplemental Staff Report, Staff provided revised schedules and revised  
4 recommended rates. The January 8, 2014 Procedural Order, directed that any comments to the  
5 Supplemental Staff Report be filed by January 29, 2014. No Comments were filed.

6 **Company Background**

7 16. Cerbat is a Class D water utility located approximately four miles northwest of the  
8 City of Kingman. In the test year ended December 31, 2012, the Company provided water service to  
9 approximately 290 customers.<sup>1</sup>

10 17. Cerbat's current rates and charges were approved by the Commission in Decision No.  
11 72739 (January 19, 2012). Decision No. 72739 ordered the Company to file a rate case application no  
12 later than April 30, 2013, using a 2012 test year.<sup>2</sup>

13 18. Cerbat is owned by the Claude K. Neal Family Trust ("Trust"). Cerbat is a wholly  
14 owned subsidiary of the Trust, and the Trust is responsible for the day-to-day management of the  
15 Company based on a Management Agreement between the entities.

16 19. Cerbat is a C Corporation.

17 20. The Amended Staff Report indicates that a search of the Consumer Services database  
18 for Cerbat revealed that there was one complaint (repair issue) filed in 2013, no complaints filed in  
19 2012, three complaints (one billing, one service and one quality of service) filed in 2011 and two  
20 complaints (one billing and one quality of service) filed in 2010. Staff reports that all complaints were  
21 resolved and closed.

22 21. The Commission's Staff Engineer conducted a field inspection of Cerbat's facilities on  
23 September 10, 2013. Cerbat's water system consists of two wells, two storage tanks (500,000 gallons  
24 and 120,000 gallons), a booster pump station and a distribution system. Staff states that a standpipe  
25 system that existed during the prior rate case was dismantled in January 2012.<sup>3</sup>

26 <sup>1</sup> Supplemental Staff Report at 1.

27 <sup>2</sup> Decision No. 72739 at 25. On April 25, 2013, and July 28, 2013, in Docket No. W-02391A-10-0218 (the last the rate  
case) Cerbat filed Requests for an Extension of Time to file its rate case until June, 30, 2013, and then July 5, 2013,  
28 respectively. The record does not reflect any Commission action on these requests.

<sup>3</sup> Amended Staff Report, Engineering Report at § C.

1           22.     The water system has a total source capacity of 445 gallons per minute (“GPM”) and  
2 storage capacity of 620,000 gallons. Staff concludes that Cerbat’s system has adequate production and  
3 storage capacities to serve existing customers and reasonable growth.<sup>4</sup>

4           23.     Cerbat’s non-account water during the test year was 19 percent, which exceeds Staff’s  
5 recommended 10 percent threshold. Staff believes that the 19 percent may be overstated due to billing  
6 inaccuracies and issues related to system operations.<sup>5</sup> Staff recommends that the Commission order  
7 Cerbat to monitor the water system closely and take action to ensure the water loss is 10 percent or  
8 less. If the reported water loss is greater than 10 percent, Staff recommends that the Company prepare  
9 a report containing a detailed analysis and plan to reduce water loss to 10 percent or less, and that if  
10 the Company believes it is not cost effective to reduce the water loss to less than 10 percent, the  
11 Company should submit a detailed cost/benefit analysis to support its opinion. Staff states that in no  
12 case should the Company allow water loss to be greater than 15 percent. The water loss reduction  
13 report or the detailed analysis, whichever is submitted, should be docketed as a compliance item  
14 within 180 days of the effective date of the order issued in this proceeding. Staff recommends that the  
15 Company continue to monitor its water use data to ensure that water loss remains within acceptable  
16 limits. Staff states that it is putting the Company on notice that any future rate case filed by the  
17 Company may be found insufficient if these items are not properly submitted.<sup>6</sup>

18           24.     Decision No. 72739 ordered Cerbat to install a meter at each interconnection location  
19 on its system, and once the interconnection meters had been installed, to record for 12 consecutive  
20 months the water entering its system and the water purchased by its customers, and to file the 12  
21 months of recorded data with Docket Control for Staff’s review and certification.<sup>7</sup> Staff states that  
22 because the Company now has its own water supply source, the interconnection meters are no longer  
23 needed. Therefore, Staff recommends that the Commission now terminate the interconnection meter  
24 installation requirement as part of this rate proceeding.<sup>8</sup>

25  
26 \_\_\_\_\_  
<sup>4</sup> Amended Staff Report, Engineering Report § C at 1-2.

<sup>5</sup> Amended Staff Report, Engineering Report at § D.

<sup>6</sup> Amended Staff Report, Engineering Report § D at 3-4.

<sup>7</sup> Decision No. 72739 at 25.

<sup>8</sup> Amended Staff Report, Engineering Report at § C.

1           25.     The Arizona Department of Environmental Quality (“ADEQ”) has stated that Cerbat’s  
2 water system operating under PWS No. 08-0341 has no major deficiencies and is delivering water that  
3 meets water quality standards established by 40 CFR 141 (National Primary Drinking Water  
4 Regulations) and A.A.C., Title 18, Chapter 4.<sup>9</sup>

5           26.     Cerbat is not located in any Arizona Department of Water Resources (“ADWR”)  
6 Active Management Area (“AMA”), and is not subject to AMA reporting and conservation rules.  
7 ADWR reported that Cerbat is currently in compliance with system water plan filing requirements for  
8 community water systems.<sup>10</sup>

9           27.     Cerbat has an approved Cross Connection Tariff on file with the Commission.<sup>11</sup>

10 **Rate Application and Staff Recommendations**

11           28.     In the test year, as adjusted by Staff, Cerbat experienced an operating loss of \$20,817,  
12 on total revenues of \$128,977, and operating expenses of \$149,794, for no rate of return on an  
13 adjusted Original Cost Rate Base (“OCRB”) of negative \$40,224.<sup>12</sup>

14           29.     In its Application, Cerbat proposed rates that would produce total operating revenue of  
15 \$208,977, an increase of \$80,000, or 62.0 percent, over adjusted test year revenues. Based on Cerbat’s  
16 adjusted total operating expenses of \$185,090, Cerbat’s proposed rates would yield operating income  
17 of \$23,887. The negative rate base makes determining a return on rate base meaningless.

18           30.     Staff recommends total operating revenues of \$183,977, an increase of \$55,000 over  
19 adjusted test year revenues. Based on Staff’s recommended adjusted operating expenses of \$162,654,  
20 Staff’s recommended rates would produce operating income of \$21,323.<sup>13</sup>

21 **Rate Base**

22           31.     The Company did not provide Reconstruction Cost New Less Depreciation (“RCND”)  
23 schedules nor propose a Fair Value Rate Base (“FVRB”) that differs from its OCRB.

24 ...

25 ...

26 <sup>9</sup> Amended Staff Report, Engineering Report § F at 4.

27 <sup>10</sup> Amended Staff Report, Engineering Report § G at 5.

<sup>11</sup> Amended Staff Report, Engineering Report § K at 8.

<sup>12</sup> Supplemental Staff Report at Revised Schedule CLP-1.

28 <sup>13</sup> Supplemental Staff Report and Revised Schedule CLP-1.

1           32.     Staff's adjustments increased the Company's proposed rate base by \$21,657, from a  
 2 negative \$61,881, to a negative \$40,224.<sup>14</sup> Staff increased Net Plant-In-Service by \$3,491, from  
 3 \$291,887 to \$295,378, by increasing Structures and Improvements by \$13,875 and decreasing  
 4 Pumping Equipment by the same amount to correct a misclassification, and increasing Wells and  
 5 Springs by \$3,355 to reflect water testing expense related to the construction of a new well. Staff's  
 6 adjustments reduced Accumulated Depreciation by \$136, from \$674,375 to \$674,239, to reflect Staff's  
 7 calculated plant balances. In addition, Staff calculated a Cash Working Capital Allowance of \$21,060,  
 8 based on the formula method that is typically used for utilities the size of Cerbat (an increase of  
 9 \$18,166, from \$2,894).<sup>15</sup>

10           33.     Staff's adjustments to rate base, as discussed in the Amended and Supplemental Staff  
 11 Reports are reasonable, except that the schedules contain a deduction for the Advances in Aid of  
 12 Construction ("AIAC") refunds that should not be included in the rate base calculation.<sup>16</sup> In this  
 13 case, we adopt a rate base of negative \$30,855. Because the Company did not provide RCND  
 14 schedules, its FVRB is the same as its OCRB.

15           **Operating Income**

16           34.     Staff did not adjust the Company's reported test year revenue of \$128,977. The  
 17 Application reflects adjusted test year operating expenses of \$185,090. Staff's adjustments reduced  
 18 test year expenses by \$35,296, from \$185,090 to \$149,794.<sup>17</sup> Staff's adjustments to test year operating  
 19 expenses are as follows:

20                   (a) Staff reduced outside services by a total of \$12,004, from \$45,613 to \$33,609. First,  
 21 Staff removed \$6,304 in finance charges included on an invoice from Dennis Schmich & Co. LTD,  
 22 because Staff does not believe that management's decision not to pay bills in a timely manner is a

23 <sup>14</sup> Supplemental Staff Report at Revised Schedule CLP-2, page 1.

24 <sup>15</sup> Supplemental Staff Report at Revised Schedule CLP-2.

25 <sup>16</sup> See Supplemental Staff Report at Revised Schedule CLP-2. In its Application, Cerbat reported Customer Deposits of  
 26 \$1,445 at the end of the test year, and that it had refunds of AIAC of \$9,869. (Application at 22). Staff's schedules show a  
 27 deduction of \$9,869 for "Meter Refunds" rather than a deduction of \$1,445 for customer deposits. While plant values  
 28 associated with Contributions in Aid of Construction ("CIAC") and AIAC are deductions from rate base, the refunds of  
 meter and service line AIAC are not part of the rate base calculation. Thus we adjust Staff's OCRB calculation to eliminate  
 the deduction. We address the refund obligations further in the discussion of revenue requirement. Because Cerbat's rate  
 base remains negative, and because it would not be material, we do not also adjust the rate base for the deduction of the  
 ending customer deposit balance.

<sup>17</sup> Supplemental Staff Report at Revised Schedule CLP-3.

1 normal operation expense that should be reflected in customer rates. In addition, Staff reduced this  
 2 account by \$5,700 for an invoice from Walker Service Electric made out to the Trust for "labor and  
 3 materials per proposal" because the Company could not identify the project related to the invoice.<sup>18</sup>

4 (b) Staff reduced water testing expense by \$2,311, from \$3,966 to \$1,655, to reflect the  
 5 Staff Engineering Report recommendations.<sup>19</sup> Staff states that the Company's recorded test year water  
 6 testing expense of \$3,966 included costs associated with the purchase of a new well which would not  
 7 be on-going.<sup>20</sup>

8 (c) Staff decreased insurance-general liability expense by \$486, from \$2,479 to \$1,993.  
 9 Staff removed the portion of an insurance bill related to a trailer and vehicles that had been sent to the  
 10 Trust and allocated to Cerbat because the Company was unable to provide details on how the vehicles  
 11 were used in the utility's business.

12 (d) Staff decreased depreciation expense by \$4,956, from \$20,168 to \$15,212, to reflect  
 13 Staff's calculation based on Staff adjusted Plant-in-Service at test year end;<sup>21</sup> and

14 (e) Staff decreased income tax expense by \$15,328, from \$4,933 to negative \$10,395,  
 15 to reflect Staff's tax calculation based on Staff's recommended operating income.

16 35. The Company did not object to Staff's adjustments to test year operating expenses.  
 17 Based on the foregoing, we find that in the test year, the Company experienced an operating loss of  
 18 \$20,817, based on total operating revenue of \$128,977 and total operating expenses of \$149,794.

### 19 **Revenue Requirement**

20 36. Staff recommends an increase in revenue of \$55,000, or 42.6 percent over test year  
 21 revenues, for a total revenue requirement of \$183,977. Staff's recommendation results in an operating  
 22 income of \$21,323 or an 11.59 percent operating margin. Staff employed a cash flow analysis to  
 23 derive the operating income recommendation because the Company's negative rate base does not  
 24 provide a basis to determine a revenue requirement. Staff believes that its recommended revenue  
 25 requirement will enable Cerbat to cover its operating expenses, contingencies, and meet the debt  
 26

27 <sup>18</sup> Amended Staff Report at 5.

<sup>19</sup> Amended Staff Report, Engineering Report at 5-6. Supplemental Staff Report at Revised Schedule CLP-3

<sup>20</sup> Amended Staff Report at 5.

28 <sup>21</sup> Supplemental Staff Report Revised Schedule CLP-3 at 2.

1 service coverage (“DSC”) ratio for the Commission-authorized loan obtained from the Water  
 2 Infrastructure Finance Authority (“WIFA”).<sup>22</sup> According to Staff, the annual payments on the WIFA  
 3 loan include principal repayment of \$11,000, interest expense of \$14,000 and the Debt Service  
 4 Reserve Fund (“DSRF”) obligation of \$5,000.<sup>23</sup>

5 **Rate Design**

6 37. Cerbat’s current rate design is comprised of three tiers for all meter sizes, with a first-  
 7 tier break-over at 3,000, a second tier break-over at 9,000 gallons, and a third tier for usage over 9,000  
 8 gallons. The Company’s current monthly minimum charges do not include any gallons.

9 38. Cerbat has proposed a new three-tier rate structure, with a break-over at 3,000-gallons  
 10 for the first tier, 7,000 gallons for the second tier, and over 7,000 gallons for the third tier.

11 39. Staff also recommends a three tiered rate structure for all meter sizes and with break-  
 12 overs at 3,000 gallons and 7,000 gallons, but different commodity prices. Staff states that its  
 13 recommended rate design will encourage efficient use of water within the Company’s certificated  
 14 territory.<sup>24</sup>

15 40. The Company’s current rates and its proposed rates, and Staff’s recommended rates  
 16 (based on each party’s recommended revenue requirement) are as follows:

	Present Rates	Proposed Rates	
		<u>Company</u>	<u>Staff</u> <sup>25</sup>
<b><u>MONTHLY USAGE CHARGE:</u></b>			
5/8” x 3/4” Meter	\$18.00	\$32.00	\$24.00
3/4” Meter	18.00	48.00	24.00
1” Meter	45.00	80.00	50.00
1 1/2” Meter	75.00	160.00	80.00
2” Meter	144.00	256.00	160.00
3” Meter	288.00	512.00	290.00
4” Meter	450.00	800.00	500.00
6” Meter	900.00	1,600.00	1,000.00
Gallons included in minimum	0	0	0

26 <sup>22</sup> In Decision No. 72739, the Commission authorized Cerbat to borrow up to \$343,755 from WIFA. Cerbat obtained a loan  
 27 from WIFA in the principal amount of \$331,875 commencing on April 12, 2012, and maturing April 1, 2031 at an interest  
 rate of 4.20 percent.

27 <sup>23</sup> Supplemental Staff Report at 4.

27 <sup>24</sup> Staff Report at 7.

28 <sup>25</sup> Supplemental Staff Report at Revised Schedule CLP-4.

1 **Commodity Rate Charge – Per 1,000 Gallons**

2 **All Meter Sizes**

3 Tier 1 0-3,000 gallons	1.65		
4 Tier 2 3,001 to 9,000 gallons	2.50		
5 Tier 3 Over 9,000 gallons	3.65		

6 Tier 1 0-3,000 gallons		2.50	2.65
7 Tier 2 3,001 to 7,000 gallons		4.00	4.00
8 Tier 3 Over 7,000 gallons		5.13	5.75

9 <b>Standpipe/Bulk Water – all gallons</b>	3.65	5.13	5.00
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10 **SERVICE CHARGES:**

11 Establishment	\$25.00	\$30.00	\$30.00
12 Establishment (After Hours)	25.00	N/A	N.A
13 Reconnection (Delinquent)	60.00	60.00	30.00
14 Meter Test (If Correct)	35.00	35.00	30.00
15 Deposit	*	*	*
16 Deposit Interest	*	*	*
17 Re-establishment (Within 12 Months)	**	**	**
18 NSF Check	15.00	25.00	25.00
19 Deferred Payment ***	1.5%	1.5%	1.5%
20 Meter Reread (If Correct)	15.00	20.00	20.00
21 Late Fee	1.5%	2.0%	2.0%
22 After Hours Service Charge	NT	30.00	30.00
23 Charge for Moving Meter	Min Cost	Min Cost	Min Cost
24 NT=No Tariff			

25 **Monthly Service Charge for Fire Sprinkler:**

26 4" or Smaller	****	****	****
27 6"	****	****	****
28 8"	****	****	****
29 10"	****	****	****
30 Larger than 10"	****	****	****

31 \* Per Commission rule A.A.C. R-14-2-403(B).

32 \*\* Months off system times the monthly minimum per Commission rule A.A.C. R14-2-403(D).

33 \*\*\* 1.5% on the unpaid balance per month.

34 \*\*\*\* 1.00% of Monthly Minimum for a Comparable Sized Meter Connection, but no less than \$5.00 per month. The Service Charge for Fire Sprinkles is only applicable for service lines separate and distinct from the primary water service line.

**SERVICE LINE AND METER INSTALLATION CHARGES:**  
**(Refundable pursuant to A.A.C. R14-2-405)**

	<u>Current</u>			<u>Company Proposed</u>			<u>Staff Recommended</u>		
	Service Line	Meter Installation	Total	Service Line	Meter Installation	Total	Service Line	Meter Installation	Total
5/8" x 3/4" Meter	\$135.00	\$385.00	\$520.00	\$430.00	\$130.00	\$560.00	\$430.00	\$130.00	\$560.00
3/4" Meter	215.00	385.00	\$600.00	430.00	230.00	660.00	430.00	230.00	660.00
1" Meter	255.00	335.00	\$690.00	480.00	290.00	770.00	480.00	290.00	770.00
1 1/2" Meter	465.00	470.00	\$935.00	535.00	500.00	1,035.00	535.00	500.00	1,035.00
2"Meter - Turbo	965.00	630.00	\$1,595.00	815.00	1,020.00	1,835.00	815.00	1,020.00	1,835.00
2"Meter- compound	1,690.00	630.00	\$2,320.00	815.00	1,865.00	2,680.00	815.00	1,865.00	2,680.00
3" Meter-Turbo	1,470.00	805.00	\$2,275.00	1,030.00	1,645.00	2,675.00	1,030.00	1,645.00	2,675.00
3"Meter- compound	2,265.00	845.00	\$3,110.00	1,150.00	2,520.00	3,670.00	1,150.00	2,520.00	3,670.00
4" Meter-Turbo	2,350.00	1,170.00	\$3,520.00	1,460.00	2,620.00	4,080.00	1,460.00	2,620.00	4,080.00
4"Meter- compound	3,245.00	1,230.00	\$4,475.00	1,640.00	3,595.00	5,235.00	1,640.00	3,595.00	5,235.00
6" Meter-Turbo	4,545.00	1,730.00	\$6,275.00	2,180.00	4,975.00	7,155.00	2,180.00	4,975.00	7,155.00
6"Meter- compound	6,280.00	1,770.00	\$8,050.00	2,300.00	6,870.00	9,170.00	2,300.00	6,870.00	9,170.00
Over 6 inch	Cost	\$1,770.00	Cost	Cost	Cost	Cost	Cost	Cost	Cost

41. Based on its proposed revenue requirement, the Company's proposed rates for a typical residential customer, on a 3/4-inch meter, with a median usage of 5,500 gallons, result in a monthly increase of \$36.30, or 124.32 percent, from \$29.20 to \$65.50.

42. For the typical 3/4-inch meter customer with a median usage of 5,500 gallons, Staff's recommended rates result in a monthly increase of \$12.75, or 43.66 percent, from \$29.20 to \$41.95.

43. Staff agreed with the Company's proposal to eliminate the "Establishment (After Hours)" charge and institute a general "After Hours Service Charge" for circumstances when work is performed after normal business hours at the customer's request or for the customer's convenience. Staff's recommendations modified the proposed "Reconnection (Delinquent)" and "Meter Test (If Correct)" charges.

44. Cerbat filed a Cross-Connection/Backflow Tariff on October 18, 2013, that corrects the reference to Commission Rules R14-2-410.B.1.a, as recommended in the Amended Staff Report.<sup>26</sup>

45. Staff also recommended that the Company update its Statement of Terms and Conditions for Water Service Section III, by adding the following new subsection B:

**B. After Hours Service Charge.** The After-Hours Service charge fee is for service provided after normal business hours and appropriate when such is at the customer's request or for the customer's convenience. Such a tariff compensates the utility for additional expenses incurred from

<sup>26</sup> See Amended Staff Report at 7.

1 providing after-hours service. For example, a customer would be subject  
2 to an **Establishment** fee if work is done during normal business hours, but  
would pay an additional After-Hours Service charge if the customer  
requested the establishment be done after normal business hours.

3 46. Cerbat did not file an objection to Staff's proposed rates and charges.

4 **Other Matters**

5 47. Staff noted during its review that the Company did not maintain its accounting records  
6 in accordance with the National Association of Regulatory Utility Commissioners ("NARUC")  
7 Uniform System of Accounts ("USoA") and Generally Accepted Accounting Principles ("GAAP").  
8 Staff states, however, that the Company recently implemented a new accounting system that should  
9 allow it to comply with NARUC USoA and GAAP. Because Staff has not reviewed the Company's  
10 newly implemented accounting system, Staff continues to recommend that Cerbat's accounting books  
11 and records be maintained in compliance with NARUC USoA and GAAP, and that the Company file  
12 an affidavit with the Commission, no later than 90 days from the date of this Decision, confirming  
13 compliance with this directive.

14 48. Based on Staff's analysis and findings, Staff recommends as follows:

15 (a) Approve Staff's recommended rates and charges in this proceeding contingent  
16 upon the Company establishing a payment plan with the Mohave County Assessor's office for the  
17 Company's delinquent property taxes.

18 (b) Authorize Cerbat to collect from its customers an appropriate share of any  
19 privilege, sales or use tax as provided for in A.A.C. R14-2-409(D).

20 (c) Order Cerbat to adopt the depreciation rates by individual NARUC category, as set  
21 forth on Exhibit 6 of Staff's Engineering Report.

22 (d) Order Cerbat to file a rate case no later than June 2, 2017, using a 2016 test year,

23 (e) Order Cerbat's accounting books and records be kept in compliance with NARUC  
24 USoA and GAAP, no later than 90 days from the date of the Decision in this docket, and require the  
25 Company to file an affidavit with the Commission confirming compliance with this condition.

26 (f) Order Cerbat to file documentation, as a compliance item in this docket, no later  
27 than 30 days from the effective date of a Commission Decision in this docket, demonstrating it has a  
28 certified water operator. As an additional compliance item, Staff recommends that the Company notify

1 the Commission if in the future, it changes certified water operators.

2 (g) File with Docket Control, as a compliance item in this docket within 90 days of the  
3 effective date of a Decision in this proceeding, at least three Best Management Practices (“BMPs”) in  
4 the form of tariffs that substantially conform to the templates created by Staff for the Commission’s  
5 review and consideration.

6 (h) Approve the curtailment tariff attached to the Engineering Report as Exhibit 7.  
7 Staff further recommends that the Company file the recommended Curtailment Tariff with Docket  
8 Control, as a compliance item in this docket, within 45 days of the effective date of a Decision in this  
9 proceeding.

10 (i) Order Cerbat to monitor the water system closely and take action to ensure the  
11 water loss is 10 percent or less. If the reported water loss is greater than 10 percent, the Company  
12 shall prepare a report containing a detailed analysis and plan to reduce water loss to 10 percent or less.  
13 If the Company believes it is not cost effective to reduce the water loss to less than 10 percent, it  
14 should submit a detailed cost/benefit analysis to support its opinion. Staff states that in no case should  
15 the Company allow water loss to be greater than 15 percent. The water loss reduction report or the  
16 detailed analysis, whichever is submitted, shall be docketed as a compliance item within 180 days of  
17 the effective date of the Order issued in this proceeding. Staff recommends that the Company continue  
18 to monitor its water use data to ensure that water loss remains within acceptable limits, and that any  
19 future rate case filed by the Company may be found insufficient if these items are not properly  
20 submitted.

## 21 **Analysis and Conclusions**

22 49. In general we find that with the following exceptions, Staff’s recommendations are fair  
23 and reasonable:

24 (a) Staff’s analysis shows a cash flow after debt service (including the DSRF) of  
25 \$6,531.<sup>27</sup> With average AIAC refunds of \$5,145 for the three years 2010-2012, we are concerned that  
26 Staff’s recommended revenue requirement would not provide adequate funds to allow for  
27

28 <sup>27</sup> Supplemental Staff Report at Revised Schedule CLP-6.

1 contingencies.<sup>28</sup> Staff is correct that traditionally the AIAC refund obligation is not part of the rate  
 2 base/rate of return revenue requirement methodology. However, we must balance the burden on  
 3 ratepayers with the need for a financially viable utility that is able to deliver safe and reliable service.  
 4 In this case, we find that a revenue requirement of \$197,202, which is designed to yield an annual cash  
 5 flow of \$11,700 after debt service (including the DSRF) and AIAC refunds, is reasonable, as it will  
 6 allow the Company to cover its costs of operation, plus provide for contingencies. This revenue  
 7 requirement is an increase of \$68,225 over test year revenues.<sup>29</sup> Because we are adopting a revenue  
 8 requirement that differs from that recommended by Staff, we also adjust rates accordingly.

9 (b) This small Company has several managerial issues that it must address in the short  
 10 term, including negotiating a plan for paying its delinquent property taxes with Mohave County and  
 11 bringing its books and records into compliance with NARUC. We do not want to distract management  
 12 from these very important obligations. Thus, we do not require Cerbat to file BMPs at this time.

13 (c) We find that it is premature to pre-determine the sufficiency of a future rate case  
 14 filing based on a failure by the Company to file a water loss analysis which is not part of the  
 15 Commission's rules for determining sufficiency. If this Company fails to adhere to the terms of this  
 16 Order, it will leave itself open to having to explain its failure in an Order to Show Cause proceeding,  
 17 which could result in administrative penalties.

18 50. We find that the three-tier rate structure for the smaller meter sizes is appropriate.  
 19 Neither Cerbat nor Staff proposed rate designs that include tier break-overs that increase with meter  
 20 size. Currently, the Company does not have any customers on meters greater than 1 inch. We take this  
 21 opportunity to provide rates that scale the tier break-over points by meter size and which anticipate  
 22 future larger meter size customers. Based on the revenue requirement adopted herein, we approve the  
 23 following rates and charges:

24

25

26

<sup>28</sup> The Company's test year AIAC refund amount may overstate its annual obligation as its Application indicates that no refunds were made in 2011. This may indicate that some of the 2011 obligations were paid in 2012 (the test year). Consequently, we use a three-year average of the AIAC refunds in our cash flow analysis.

27

28

<sup>29</sup> The authorized increase is \$14,225 greater than that recommended by Staff and \$11,775 less than that requested in the Application.

**MONTHLY USAGE CHARGES:**

1	5/8" x 3/4" Meter	\$ 30.00
2	3/4" Meter	30.00
	1" Meter	50.00
3	1-1/2" Meter	100.00
	2" Meter	160.00
4	3" Meter	320.00
	4" Meter	500.00
5	6" Meter	1,000.00
	8" Meter	1,600.00

6	Gallons in Minimum	0
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**COMMODITY RATES (Per 1,000 Gallons):**

8	<u>5/8" x 3/4" Meter GS</u>	
9	First 3,000 gallons	\$2.15
	3,001 to 8,000 gallons	3.75
10	Over 8,000 gallons	5.35

11	<u>3/4" Meter GS</u>	
	First 3,000 gallons	2.15
12	3,001 to 8,000 gallons	3.75
	Over 8,000 gallons	5.35

13	<u>1" Meter GS</u>	
14	First 16,000 gallons	3.75
	Over 16,000 gallons	5.35

15	<u>1 1/2" Meter GS</u>	
16	First 38,000 gallons	3.75
	Over 38,000 gallons	5.35

17	<u>2" Meter GS</u>	
18	First 60,000 gallons	3.75
	Over 60,000 gallons	5.35

19	<u>3" Meter GS</u>	
20	First 128,000 gallons	3.75
	Over 128,000 gallons	5.35

21	<u>4" Meter GS</u>	
22	First 192,000 gallons	3.75
	Over 192,000 gallons	5.35

23	<u>6" Meter GS</u>	
24	First 403,000 gallons	3.75
	Over 403,000 gallons	5.35

25	<u>8" Meter GS</u>	
26	First 622,000 gallons	3.75
	Over 622,000 gallons	5.35

27	<u>Bulk Water</u>	
28	Per 1,000 gallons	5.35

**SERVICE LINE AND METER**  
**INSTALLATION CHARGES:**  
**(Refundable pursuant to A.A.C. R14-2-405)**

	<u>Service</u> <u>Line Charge</u>	<u>Meter</u> <u>Charges</u>	<u>TOTAL</u>
5/8" x 3/4" Meter	\$ 430.00	\$ 130.00	\$ 560.00
3/4" Meter	430.00	230.00	660.00
1" Meter	480.00	290.00	770.00
1-1/2" Meter	535.00	500.00	1,035.00
2" Turbo	815.00	1,020.00	1,835.00
2" Compound	815.00	1,865	2,680.00
3" Turbo	1,030.00	1,645.00	2,675.00
3" Compound	1,150.00	2,520.00	3,670.00
4" Turbo	1,460.00	2,620.00	4,080.00
4" Compound	1,640.00	3,595.00	5,235.00
6" Turbo	2,180.00	4,975.00	7,155.00
6" Compound	2,300.00	6,870.00	9,170.00
Over 6"	Cost	Cost	Cost

**SERVICE CHARGES:**

Establishment	\$ 30.00
Reconnection (Delinquent)	30.00
After Hours Service Charge	30.00
Meter Test (If Correct)	30.00
NSF Check	25.00
Meter Reread (If Correct)	20.00
Deposit	*
Deposit Interest (Per Month)	*
Deferred Payment( Per Month)***	1.5%
Late Payment Charge (Per Month)	2.0%
Re-establishment (Within 12 Months)	**

**Monthly Service Charge for Fire Sprinkler:**

4" or Smaller	****
6"	****
8"	****
10"	****
Larger than 10"	****

\* Per Commission Rule A.A.C. R-14-2-403(B).

\*\* Months off system times the monthly minimum A.A.C. R-14-2-403(D).

\*\*\* 1.5 percent of unpaid monthly balance.

\*\*\*\* 1.00% of Monthly Minimum for a Comparable Sized Meter Connection, but no less than \$5.00 per month. The Service Charge for Fire Sprinkles is only applicable for service lines separate and distinct from the primary water service line.

In addition to the collection of regular rates, the utility will collect from its customers a proportionate share of any privilege, sales, use, and franchise tax. Per Commission Rule R-14-2-409(D)(5).



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**COMMODITY RATES (Per 1,000 Gallons):**

<u>5/8" x 3/4" Meter GS</u>		
First 3,000 gallons		\$2.15
3,001 to 8,000 gallons		3.75
Over 8,000 gallons		5.35
<u>3/4" Meter GS</u>		
First 3,000 gallons		2.15
3,001 to 8,000 gallons		3.75
Over 8,000 gallons		5.35
<u>1" Meter GS</u>		
First 16,000 gallons		3.75
Over 16,000 gallons		5.35
<u>1 1/2" Meter GS</u>		
First 38,000 gallons		3.75
Over 38,000 gallons		5.35
<u>2" Meter GS</u>		
First 60,000 gallons		3.75
Over 60,000 gallons		5.35
<u>3" Meter GS</u>		
First 128,000 gallons		3.75
Over 128,000 gallons		5.35
<u>4" Meter GS</u>		
First 192,000 gallons		3.75
Over 192,000 gallons		5.35
<u>6" Meter GS</u>		
First 403,000 gallons		3.75
Over 403,000 gallons		5.35
<u>8" Meter GS</u>		
First 622,000 gallons		3.75
Over 622,000 gallons		5.35
<u>Bulk Water</u>		
Per 1,000 gallons		5.35

**SERVICE LINE AND METER**  
**INSTALLATION CHARGES:**  
**(Refundable pursuant to A.A.C. R14-2-405)**

	<u>Service</u> <u>Line Charge</u>	<u>Meter</u> <u>Charges</u>	<u>TOTAL</u>
26	5/8" x 3/4" Meter	\$ 130.00	\$ 560.00
	3/4" Meter	230.00	660.00
27	1" Meter	290.00	770.00
	1-1/2" Meter	500.00	1,035.00
28	2" Turbo	1,020.00	1,835.00

1	2" Compound	815.00	1,865	2,680.00
	3" Turbo	1,030.00	1,645.00	2,675.00
2	3" Compound	1,150.00	2,520.00	3,670.00
	4" Turbo	1,460.00	2,620.00	4,080.00
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	6" Turbo	2,180.00	4,975.00	7,155.00
4	6" Compound	2,300.00	6,870.00	9,170.00
	Over 6"	Cost	Cost	Cost

**SERVICE CHARGES:**

5	Establishment			\$ 30.00
6	Reconnection (Delinquent)			30.00
7	After Hours Service Charge			30.00
	Meter Test (If Correct)			30.00
8	NSF Check			25.00
	Meter Reread (If Correct)			20.00
9	Deposit			*
	Deposit Interest (Per Month)			*
10	Deferred Payment( Per Month)***			1.5%
	Late Payment Charge (Per Month)			2.0%
11	Re-establishment (Within 12 Months)			**

**Monthly Service Charge for Fire Sprinkler:**

12	4" or Smaller	****
13	6"	****
14	8"	****
	10"	****
15	Larger than 10"	****

- 16 \* Per Commission Rule A.A.C. R-14-2-403(B).
- 17 \*\* Months off system times the monthly minimum A.A.C. R-14-2-403(D).
- 18 \*\*\* 1.5 percent of unpaid monthly balance.
- 19 \*\*\*\* 1.00% of Monthly Minimum for a Comparable Sized Meter Connection, but no less than \$5.00 per month. The Service Charge for Fire Sprinkles is only applicable for service lines separate and distinct from the primary water service line.

20 In addition to the collection of regular rates, the utility will collect from its customers a proportionate share of any privilege, sales, use, and franchise tax. Per Commission Rule R-14-2-409(D)(5).

21 IT IS FURTHER ORDERED that the rates and charges approved herein shall be effective for  
 22 all usage on and after the first of the month after Cerbat Water Company has received approval from  
 23 Staff on payment plans to become current on delinquent property taxes owed to Mohave County and  
 24 3<sup>rd</sup> party lien holders, and delinquent electric bills owed to UNS Electric.

25 IT IS FURTHER ORDERED that Cerbat Water Company pay its current year property taxes  
 26 to Mohave County when due, as well as remain current on the payment plan for delinquent taxes as  
 27 approved by Staff. Cerbat Water Company shall file an affidavit with Docket Control each October  
 28

1 and April, beginning October 2014, showing evidence of compliance with this Ordering Paragraph.

2 IT IS FURTHER ORDERED that Cerbat Water Company pay its current electric bill to UNS  
3 Electric on the due date specified on the bill, as well as remain current on the payment plan for  
4 delinquent electric bills as approved by Staff. The payment plan shall be acceptable to both Staff and  
5 UNS Electric, and shall be submitted to Staff no later than 10 days from the effective date of this  
6 Decision. The delinquent balance shall be repaid by May 1, 2016. Cerbat Water Company shall file  
7 an affidavit with Docket Control each October and April, beginning October 2014, showing evidence  
8 of compliance with this Ordering Paragraph.

9 IT IS FURTHER ORDERED that Cerbat Water Company shall notify its customers of the  
10 revised schedules of rates and charges authorized herein, in a form acceptable to Staff, by means of  
11 an insert included in its next regularly scheduled billing, or as a separate mailing, to be completed no  
12 later than thirty (30) days after the effective date of this Order, and shall file copies of the notice with  
13 Docket Control, as a compliance item in this docket, within 10 days of the date notice is sent to  
14 customers.

15 IT IS FURTHER ORDERED that in addition to collection of its regular rates and charges,  
16 Cerbat Water Company may collect from its customers a proportionate share of any privilege, sales  
17 or use tax, per A.A.C. R14-2-409(D)(5).

18 IT IS FURTHER ORDERED that Cerbat Water Company shall utilize the depreciation rates  
19 by individual NARUC category, as set forth on Exhibit 6 of Staff's Engineering Report in this  
20 proceeding.

21 IT IS FURTHER ORDERED that Cerbat Water Company shall file a rate case no later than  
22 June 2, 2017, using a 2016 test year.

23 IT IS FURTHER ORDERED that Cerbat Water Company shall maintain its accounting books  
24 and records in compliance with NARUC USoA and GAAP, and shall file an affidavit with Docket  
25 Control as a compliance item in this docket no later than 90 days from the effective date of this  
26 Decision, confirming that it is in compliance with this directive.

27 IT IS FURTHER ORDERED that no later than 30 days from the effective date of this  
28

1 Decision, Cerbat Water Company shall file evidence with Docket Control, as a compliance item in  
2 this docket, that it has a certified water operator; and in the future, Cerbat Water Company shall  
3 notify the Commission if it changes certified water operators.

4 IT IS FURTHER ORDERED that the curtailment tariff attached to the Engineering Report as  
5 Exhibit 7 is approved, and Cerbat Water Company shall file a conforming Curtailment Tariff, and a  
6 revised Statement of Terms and Conditions as discussed herein, within 45 days of the effective date  
7 of this Decision.

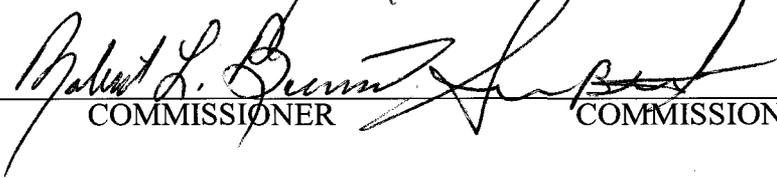
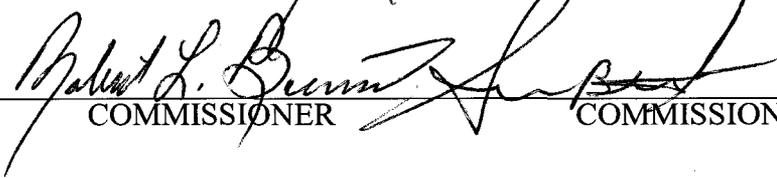
8 IT IS FURTHER ORDERED that Cerbat Water Company shall monitor its water system  
9 closely and take action to ensure the water loss is 10 percent or less. If the reported water loss is  
10 greater than 10 percent, Cerbat Water Company shall prepare a report containing a detailed analysis  
11 and plan to reduce water loss to 10 percent or less, and if Cerbat Water Company believes it is not  
12 cost effective to reduce the water loss to less than 10 percent, it should submit a detailed cost/benefit  
13 analysis to support its opinion. In no case shall Cerbat Water Company allow water loss to be greater  
14 than 15 percent. The water loss reduction report or the detailed analysis, whichever is submitted,  
15 shall be docketed as a compliance item within 180 days of the effective date of this Decision.

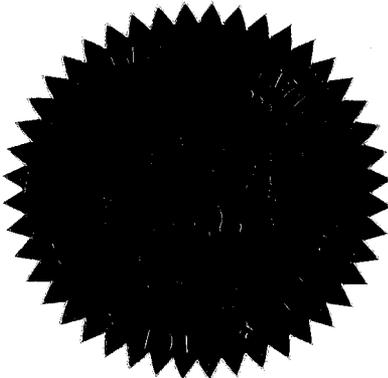
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1 IT IS FURTHER ORDERED that the requirement in Decision No. 72739 that Cerbat Water  
2 Company install interconnection meters is terminated.

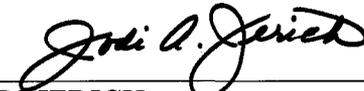
3 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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7  CHAIRMAN  COMMISSIONER  
8  COMMISSIONER  COMMISSIONER  
9  COMMISSIONER



10  
11 IN WITNESS WHEREOF, I, JODI JERICH, Executive  
12 Director of the Arizona Corporation Commission, have  
13 hereunto set my hand and caused the official seal of the  
14 Commission to be affixed at the Capitol, in the City of Phoenix,  
15 this 18<sup>th</sup> day of April 2014.

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18 JODI JERICH  
19 EXECUTIVE DIRECTOR

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