



BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2014 JUL -1 P 3:40

ARIZONA CORP COMMISSION
DOCKET CONTROL

ORIGINAL

IN THE MATTER OF THE APPLICATION OF ARIZONA WINDSONG REALTY, INC. AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR ADJUSTMENTS TO ITS RATES AND CHARGES FOR UTILITY SERVICE FURNISHED BY ITS EASTERN GROUP AND FOR CERTAIN RELATED APPROVALS.

Docket No. W-02250A-14-0028

WINDSONG'S EXCEPTIONS

Arizona Corporation Commission

DOCKETED

JUL 7 2014

DOCKETED BY

Arizona Windsong Realty, Inc. ("Windsong") files these limited exceptions to the Recommended Opinion and Order ("ROO") in this matter. Windsong is grateful for the prompt action in this case by the Utilities Division and the Hearing Division. However, Windsong requests two limited modifications to the ROO.

First, Windsong requests that the customer credit proposed by the ROO be spread over 12 months, rather than being immediately payable on the first monthly bill. Windsong has very limited cash resources, and Windsong has a number of urgent infrastructure needs to be funded with the rate increase. Accordingly, Windsong requests that the credit be payable over the next twelve monthly bills, and also that the credit be noted on each bill as "Bill credit - erroneous 2012 rate". The proposed credit will, depending on the precise customer count, be over \$24 - to refund that full amount in one month would eliminate the company's ability to pay for the certified operator.

Second, Windsong requests an additional three months to install the wellhead meter. Windsong is concerned that it may not be able to meet the aggressive 90 day requirement proposed by the ROO, especially because Windsong does not have funds on hand at present to pay for such a meter; and even under the proposed rates (assuming the refund is not taken out in one

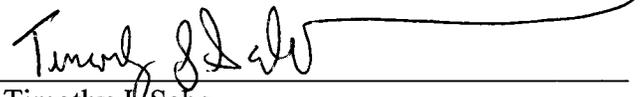
1 month) the company only generates about \$1,111 a month for repairs and maintenance. Certainly,
2 a wellhead meter is needed; but one has to ask if it should be the first priority in such a troubled
3 system.

4 Windsong is very grateful for the support shown by Staff and the Commission in these
5 difficult recent months. Windsong requests that the ROO be approved with these two changes.
6 Proposed language for an amendment is included in Exhibit A.

7
8 RESPECTFULLY SUBMITTED this 7TH day of July 2014.

9 ROSHKA DEWULF & PATTEN, PLC

10
11
12 By



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- 1 Original + 13 copies of the foregoing
- 2 filed this 7th day of July 2014, with:
- 3 Docket Control
- 4 Arizona Corporation Commission
- 5 1200 West Washington
- 6 Phoenix, Arizona 85007
- 7 Copies of the foregoing hand-delivered/mailed
- 8 that same day to:
- 9 Lyn A. Farmer, Esq.
- 10 Chief Administrative Law Judge
- 11 Hearing Division
- 12 Arizona Corporation Commission
- 13 1200 West Washington
- 14 Phoenix, Arizona 85007
- 15 Janice Alward, Esq.
- 16 Chief Counsel, Legal Division
- 17 Arizona Corporation Commission
- 18 1200 West Washington
- 19 Phoenix, Arizona 85007
- 20 Steven Olea, Director
- 21 Utilities Division
- 22 Arizona Corporation Commission
- 23 1200 West Washington
- 24 Phoenix, Arizona 85007
- 25 Lili Paulsell
- 26 Arizona Windsong Water Company
- 27 PO Box 261
- Sanders, Arizona 86512

19 By *Jaclyn Howard*

Exhibit A

Suggested Amendment Language

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2
3 **Page 13, lines 5-7** DELETE the remainder of the sentence after "\$1,674", and INSERT "with such
4 credit to be credited on a pro-rata basis to each customer over the next twelve monthly bills, with
5 the credit listed as the "Bill credit – erroneous 2012 rate.""

6
7 **Page 13, line 10**, DELETE "within 60 days of the effective date of this Decision" and INSERT
8 "within 60 days of the first anniversary of this Decision".

9
10 **Page 13, line 24**, INSERT "In addition, we will allow the Company an additional 90 days to
11 install the wellhead meter."

12 **Page 15, lines 24 to 27**, DELETE ordering paragraph and INSERT "IT IS FURTHER ORDERED
13 that Arizona Windsong Realty, Inc. shall, in its first twelve monthly billings after the effective
14 date of this Decision, provide each of its customers with a credit in the amount of each customer's
15 pro rata share of the unlawfully collected \$1,674, which shall be listed separately on each
16 customer bill as "Bill credit – erroneous 2012 rate".

17
18 **Page 16, lines 1 to 4**, DELETE ordering paragraph and INSERT "IT IS FURTHER ORDERED
19 that Arizona Windsong Realty, Inc., shall file with Docket Control, as a compliance item in this
20 docket, within 60 days of the first anniversary of the effective date of this Decision,
21 documentation demonstrating that all of its customers have received the credit in their bills as
22 required herein."

23
24 **Page 17, line 11**, DELETE "90" and INSERT "180".
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27