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Attorneys for Liberty Utilities (Litchfield Park Water & Sewer) Corp.

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Arizona Corporation Commission

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**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION OF  
LIBERTY UTILITIES (LITCHFIELD PARK  
WATER & SEWER) CORP. FOR APPROVAL  
OF AGREEMENT WITH THE CENTRAL  
ARIZONA WATER CONSERVATION  
DISTRICT.

DOCKET NO: SW-01428A-14-0369  
W-01427A-14-0369

**CONSENT TO WAIVER**

On October 14, 2014, Liberty Utilities (Litchfield Park Water & Sewer) Corp. ("Liberty") filed an application seeking approval of certain provisions in the Agreement for Development of Effluent Recharge Facility, Effluent Disposal and Purchase and Sale of Effluent ("Development Agreement") between Liberty and the Central Arizona Water Conservation District ("CAWCD"). In turn, Commission Staff has requested that Liberty consent to waive the 30-day approval period set forth in A.R.S. § 40-250.

Initially, Liberty has not filed an application seeking approval of a tariff in this docket. Rather, Liberty seeks Commission approval of certain special contract terms set forth in the Development Agreement in the best interests of Liberty's customers, the public and CAP/CAWCD. Specifically, Liberty requests that the Commission approve the special contract terms contained in Article 3, § 3.1.3, Article 3, § 3.1.10, Article 4,

1 § 4.1.1, Article 5, § 5.1.4 and Article 5, § 5.1.5 of the Development Agreement; that the  
2 Commission approve CAWCD's 100 year Effluent Entitlement to 2,400 acre-feet of  
3 effluent as set forth in the Development Agreement; that the Commission approve the  
4 agreed upon charges and terms for delivery/disposal of effluent to the Effluent Recharge  
5 Project and purchase of Long-Term Storage Credits as set forth in the Development  
6 Agreement; and that the Commission find that the rates for the Effluent Entitlement and  
7 purchase of Long-Term Storage Credits in the Development Agreement do not violate any  
8 Commission rules, policies and decisions and/or tariffs of Liberty.

9 In response to Commission Staff's request, Liberty will consent to a waiver of that  
10 30-day time period. Liberty, however, is now concerned that a decision in this matter will  
11 be delayed. CAWCD and Liberty were hoping that this matter could go before the  
12 Commission for approval at the scheduled open meeting in December 2014 and that has  
13 not changed. So, with the continuing hope and expectation that the current Commission  
14 will have the opportunity to rule on this matter in December, Liberty agrees to waive the  
15 30-day time clock.

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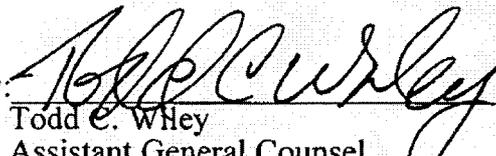
RESPECTFULLY SUBMITTED this 10th day of November, 2014.

FENNEMORE CRAIG, P.C.

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and

LIBERTY UTILITIES

By:   
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Attorneys for Liberty Utilities  
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**ORIGINAL** and 13 copies filed  
this 10th day of November, 2014, with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

**COPY** hand-delivered this 10th day  
of November, 2014 to:

Chairman Bob Stump  
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1 Commissioner Susan Bitter Smith  
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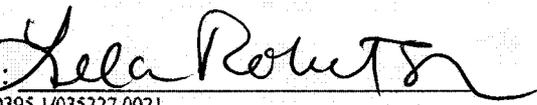
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26 **COPY** mailed this 10th day  
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