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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

- 2 BOB STUMP
Chairman
- 3 GARY PIERCE
Commissioner
- 4 BRENDA BURNS
Commissioner
- 5 BOB BURNS
Commissioner
- 6 SUSAN BITTER SMITH
Commissioner

Arizona Corporation Commission

DOCKETED

DEC 18 2014

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| DOCKETED BY | |
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8 IN THE MATTER OF THE APPLICATION
 9 OF RANCHO SAHUARITA WATER
 10 COMPANY, L.L.C. FOR THE TRANSFER
 11 OF ITS CERTIFICATE OF CONVENIENCE
 12 AND NECESSITY TO SAHUARITA
 13 WATER COMPANY, L.L.C. AND
 14 EXTENSION OF THE CERTIFICATE OF
 CONVENIENCE AND NECESSITY FOR
 WATER SERVICE.—RE ELIMINATION OF
 ADDITIONAL BMP REQUIREMENT PER
 A.R.S. § 40-252

DOCKET NO. W-03718A-07-0687

DECISION NO. 74867

ORDER

15 Open Meeting
 16 December 11 and 12, 2014
 Phoenix, Arizona

17 **BY THE COMMISSION:**

18 Having considered the matter and voting to reopen Decision No. 70620 (issued November 19,
 19 2008) pursuant to Arizona Revised Statute (“A.R.S.”) §40-252, the Arizona Corporation Commission
 20 (“Commission”) finds, concludes, and orders that:

21 **FINDINGS OF FACT**

22 1. On November 19, 2008, the Commission issued Decision No. 70620 which ordered
 23 Sahuarita Water Company (“SWC” or “Company”) to implement by December 31, 2009, at least five
 24 more Best Management Practices (“BMP”), as outlined in the Arizona Department of Water
 25 Resources (“ADWR”) Modified Non-Per Capita Conservation Program (“NMPCCP”), than would
 26 otherwise be required by ADWR for a water company of its customer size and to submit those BMPs
 27 to Docket Control within thirty days of implementation.

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1 2. On December 9, 2009, in compliance with Decision No. 70620 SWC filed ten BMP
2 tariffs and a Public Education Program tariff.

3 3. On October 22, 2014, SWC filed a motion to amend Decision No. 70620 to eliminate
4 its additional BMP requirement, pursuant to A.R.S. §40-252.

5 4. SWC indicates that its request to eliminate its BMP tariff requirements is due to the
6 additional BMP tariffs imposing unnecessary costs and work load which outweigh any benefits gained.

7 5. SWC states that it currently holds a Designation of Assured Water Supply (“DAWS”)
8 from ADWR and is a provider in the Tucson Active Management Area (“AMA”) and is subject to the
9 groundwater management act enforced by ADWR.

10 6. SWC states that the Company participates in the Gallons-Per-Capita-Per-Day
11 (“GPCD”) program and is in compliance with the management plan for the Tucson AMA. The
12 Company further states that it is a member service area of the Central Arizona Groundwater
13 Replenishment District (“CAGRDR”).

14 7. On November 5, 2014, the Commission considered SWC’s motion to amend Decision
15 No. 70620 in a Commission Staff Open Meeting, with notice and opportunity to be heard. No party
16 to this matter objected the grant of SWC's request.

17 8. Staff recommends that the Commission approve SWC’s motion to amend Decision
18 No. 70620 pursuant to A.R.S. §40-252 and eliminate the Company’s requirement to implement five
19 additional BMP tariffs.

20 9. Staff further recommends that all other matters set forth in Decision No. 70620
21 continue to be in full force and effect except where inconsistent with this Decision.

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CONCLUSIONS OF LAW

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1. Sahuarita Water Company is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §40-250, 40-251, 40-281 and 40-282.

2. The Commission has jurisdiction over Sahuarita Water Company and over the subject matter herein pursuant to Article XV of the Arizona Constitution and A.R.S. §40-252.

3. Pursuant to A.R.S. §40-252, the Commission having reviewed Sahuarita Water Company's motion concludes that it is in the public interest to approve modifications to Decision No. 70620, as discussed herein.

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ORDER

IT IS THEREFORE ORDERED that Decision No. 70620 is hereby amended to eliminate Sahuarita Water Company's requirement to implement five more Best Management Practice tariffs, as outlined in the Arizona Department of Water Resources Modified Non-Per Capita Conservation Program, than would otherwise be required for a water company of its customer size; therefore, Sahuarita Water Company is now required to file zero Best Management Practice tariffs..

IT IS FURTHER ORDERED that all other provisions set forth in Decision No. 70620 continue to be in full force and effect.

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

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSIO

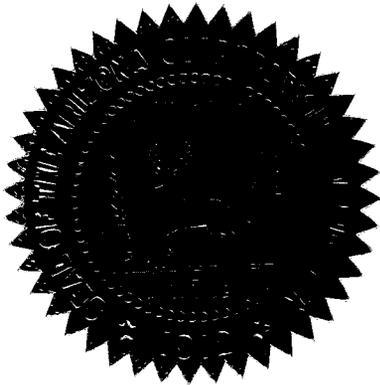
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CHAIRMAN

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COMMISSIONER

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COMMISSIONER

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COMMISSIONER



IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 18th day of December, 2014.

[Signature]
JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

SMO:GO:sms/RRM

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