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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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SUSAN BITTER-SMITH- Chairman  
BOB STUMP  
BOB BURNS  
DOUG LITTLE  
TOM FORESE

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE PETITION OF  
ARIZONA WATER COMPANY FOR  
INCREASE OF AREA TO BE SERVED AT  
CENTRAL HEIGHTS, ARIZONA

DOCKET NO. W-01445A-14-0305

**NOTICE OF FILING AFFIDAVIT OF  
MAILING PUBLIC NOTICE AND  
AFFIDAVIT OF PUBLICATION**

In a Procedural Order dated March 6, 2015, the City of Globe ("Globe") was ordered to publish the notice attached to this pleading in a newspaper of general circulation in the disputed territories and to mail via first class mail to each current customer or landowner in the affected area. Attached as Attachment 1 is an affidavit of Publication from the Arizona Silver Belt newspaper and the San Carlos Apache Moccasin attesting to the publication of the required public notice on April 1, 2015 and April 8, 2015. Attached as Attachment 2 is the Affidavit of Jodi Martin attesting that the required public notice was mailed to each water customer and landowner in the disputed area on March 31, 2015.

RESPECTFULLY submitted this 9<sup>th</sup> day of June, 2015.

Arizona Corporation Commission

DOCKETED

JUN 09 2015

Garry D. Hays  
The Law Offices of Garry D. Hays, PC  
1702 East Highland Avenue, Suite 204  
Phoenix, Arizona 85016  
ghays@lawgdh.com

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ORIGINAL and thirteen (13) copies of the foregoing filed this 9<sup>th</sup> day of June, 2015, with:

Docket Control  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Copy of the foregoing hand-delivered/mailed/emailed This 9th day of June, 2015, to:

Dwight Nodes, Chief Administrative Law Judge  
Hearing Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Janice Alward, Chief Counsel  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Steve Olea, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Steve Hirsch  
Bryan Cave LLP  
One Renaissance Square  
2 North Central Ave., Suite 2200  
Phoenix, Az. 85004-4406



# **ATTACHMENT 1**

**Affidavit of Publication**

**State of Arizona  
County of Gila**

**Marc Marin**, or his authorized representative being first duly sworn deposes and says: That he is the Publisher of the Arizona Silver Belt and the San Carlos Apache Moccasin newspapers, located at 298 North Pine Street, Globe, Arizona 85501, or mail: P.O. Box 31, Globe, Arizona 85502.

The above stated newspapers are published weekly in Globe, in the State of Arizona, County of Gila and that the following described   ✓   legal, or    advertising was duly published.

**PUBLIC NOTICE OF THE HEARING ON THE  
PETITION OF THE CITY OF GLOBE TO AMEND  
DECISION NO. 33424 PURSUANT TO A.R.S. § 40-252  
(DOCKET NO. W-01445A-14-0305)**

On August 18, 2014, the City of Globe ("Globe") filed with the Arizona Corporation Commission ("Commission") a petition to amend Commission Decision No. 33424 pursuant to A.R.S. § 40-252. In Decision No. 33424 (September 20, 1061), the Commission granted Arizona Water Company ("AWC") an extension of its Certificate of Convenience and Necessity ("CC&N") to serve various areas in Gila County, Arizona. Globe's petition requests that the Commission reopen the Decision and delete portions of AWC's CC&N extension area that Globe states it has served since the 1900s. On October 16, 2014, the Commissioners voted to reopen Decision No. 33424 pursuant to A.R.S. § 40-252. The Commission's Utilities Division ("Staff") is in the process of reviewing Globe's petition and has not made recommendations on the petition. The Commission is not bound by the proposals made by Globe, AWC, Staff, or any intervenors. The Commission will issue a Decision in this matter following consideration of testimony and evidence to be presented at an evidentiary hearing. A copy of the application is available at Globe City Hall, 150 North Pine Street, Globe, Arizona 85501 and at the Commission's office at 1200 West Washington Street, Phoenix, Arizona for public inspection during regular business hours, and on the internet via the Commission website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function. The Commission will hold a hearing on this matter beginning **October 26, 2015, at 10:00 a.m.**, at the Commission's offices at 1200 West Washington Street, Hearing Room No. 1, Phoenix, Arizona 85007. Public comments will be taken on the first day of hearing. Written public comments may be submitted by mailing a letter referencing Docket No. W-01445A-14-0305 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Street, Phoenix, AZ 85007, or by submitting comments on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Submit a Public Comment" function. If you require assistance, you may contact the Consumer Services Section at 602-542-4251 or 1-800-222-7000.

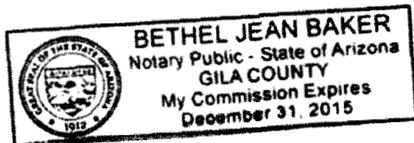
A printed copy of said legal or advertising is attached hereto and was published in a regular weekly edition of said newspaper (and not a supplement thereof) for 2 consecutive weeks in the   ✓   Arizona Silver Belt newspaper, and/or the   ✓   San Carlos Apache Moccasin newspaper. The dates of publication being as follows, to wit:

**April 1, 2015  
April 8, 2015**

(s) By: Marc Marin  
Publisher

State of Arizona )  
                          ) ss:  
County of Gila    )

The foregoing instrument was acknowledged before me **June 9, 2015**, by Marc Marin.

  
Notary Public

My Commission Expires:  
December 31, 2015

**PUBLIC NOTICE OF THE HEARING ON THE PETITION OF THE CITY OF GLOBE TO AMEND DECISION NO. 33424 PURSUANT TO A.R.S. § 40-252 (DOCKET NO. W-01445A-14-0305)**

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The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. Any one who wishes to intervene must file and original and 13 copies of a written motion to intervene with Commission no later than **June 26, 2015**, and send a copy of the motion to all parties of record. Your motion to intervene must

1. Your name, address, and telephone number and the name, address, and telephone number of any person upon whom service of documents is to be made, if different from that of the intervenor.

2. A short statement of your interest in the proceeding (e.g., a customer of Globe);

3. A statement certifying that a copy of the motion to intervene has been mailed to Globe or its counsel and to all parties of record in the case, and

4. If the proposed intervenor is not represented by an attorney who is an active member of the Arizona State Bar, and is not an individual representing himself or herself, information and any appropriate documentation demonstrating compliance with Arizona Supreme Court Rules 31, 38, and 42, as applicable.

The granting of motions to intervene shall be governed by A.A.C. R14-3-106, except that all motions to intervene must be filed on or before June 26, 2015. If representation by counsel is required by Arizona Supreme Court Rule 231, intervention will be conditioned upon the intervenors obtaining counsel to represent the intervenors. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at a hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

The Commission does not discriminate on the basis of disability in admission to public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting ADA coordinator, Shari Bernal, E-mail: [SABernal@azcc.gov](mailto:SABernal@azcc.gov), voicemail number 602-53931. Requests should be made as early as possible to allow time to arrange the accommodation.

First Pub: 4-1-2015

Last Pub: 4-8-2015 Belt

# ATTACHMENT 2



# EXHIBIT A

**PUBLIC NOTICE OF THE HEARING ON THE PETITION OF THE CITY OF GLOBE TO AMEND DECISION NO. 33424 PURSUANT TO A.R.S. 6 40-252 (DOCKET NO. W-01445A-14-03051)**

On August 18, 2014, the City of Globe ("Globe") filed with the Arizona Corporation Commission ("Commission") a petition to amend Commission Decision No. 33424 pursuant to A.R.S. 3 40-252. In Decision No. 33424 (September 20, 1961), the Commission granted Arizona Water Company ("AWC") an extension of its Certificate of Convenience and Necessity ("CC&N") to serve various areas in Gila County, Arizona. Globe's petition requests that the Commission reopen the Decision and delete portions of AWC's CC&N extension area that Globe states it has served since the 1900s. On October 16, 2014, the Commissioners voted to reopen Decision No. 33424 pursuant to A.R.S. 40-252. The Commission's Utilities Division ("Staff") is in the process of reviewing Globe's petition and has not made recommendations on the petition. The Commission is not bound by the proposals made by Globe, AWC, Staff, or any intervenors. The Commission will issue a Decision in this matter following consideration of testimony and evidence to be presented at an evidentiary hearing. A copy of the application is available at Globe City Hall, 150 North Pine Street, Globe, Arizona 85501 and at the Commission's office at 1200 West Washington Street, Phoenix, Arizona for public inspection during regular business hours, and on the internet via the Commission website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function.

The Commission will hold a hearing on this matter beginning **October 26, 2015, at 10:00 a.m.**, at the Commission's offices at 1200 West Washington Street, Hearing Room No. 1, Phoenix, Arizona 85007. Public comments will be taken on the first day of hearing. Written public comments may be submitted by mailing a letter referencing Docket No. W-01445A-14-0305 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by submitting comments on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Submit a Public Comment" function. If you require assistance, you may contact the Consumer Services Section at 602-542-4251 or 1-800-222-7000.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. Anyone who wishes to intervene must file an original and 13 copies of a written motion to intervene with the Commission no later than **June 26, 2015**, and send a copy of the motion to all parties of record. Your motion to intervene must contain the following:

1. Your name, address, and telephone number and the name, address, and telephone number of any person upon whom service of documents is to be made, if different from that of the intervenor;
2. A short statement of your interest in the proceeding (e.g., a customer of Globe);
3. A statement certifying that a copy of the motion to intervene has been mailed to Globe or its counsel and to all parties of record in the case; and

4. If the proposed intervenor is not represented by an attorney who is an active member of the Arizona State Bar, and is not an individual representing himself or herself, information and any appropriate documentation demonstrating compliance with Arizona Supreme Court Rules 31,38, and 42, as applicable.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **June 26, 2015**. If representation by counsel is required by Arizona Supreme Court Rule 31, intervention will be conditioned upon the intervenors obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, E-mail [SAbernal@azcc.gov](mailto:SAbernal@azcc.gov), voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.