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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

OPEN MEETING ITEM

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

2015 SEP 17 P 12: 25

AZ CORP COMMISSION
LOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF VALENCIA WATER COMPANY – TOWN DIVISION FOR THE ESTABLISHMENT OF JUST AND REASONABLE RATES AND CHARGES FOR UTILITY SERVICE DESIGNED TO REALIZE A REASONABLE RATE OF RETURN ON THE FAIR VALUE OF ITS PROPERTY THROUGHOUT THE STATE OF ARIZONA.

DOCKET NO. W-01212A-12-0309

IN THE MATTER OF THE APPLICATION OF GLOBAL WATER – PALO VERDE UTILITIES COMPANY FOR THE ESTABLISHMENT OF JUST AND REASONABLE RATES AND CHARGES FOR UTILITY SERVICE DESIGNED TO REALIZE A REASONABLE RATE OF RETURN ON THE FAIR VALUE OF ITS PROPERTY THROUGHOUT THE STATE OF ARIZONA.

DOCKET NO. SW-20445A-12-0310

IN THE MATTER OF THE APPLICATION OF WATER UTILITY OF NORTHERN SCOTTSDALE, INC. FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-03720A-12-0311

IN THE MATTER OF THE APPLICATION OF WATER UTILITY OF GREATER TONOPAH, INC. FOR THE ESTABLISHMENT OF JUST AND REASONABLE RATES AND CHARGES FOR UTILITY SERVICE DESIGNED TO REALIZE A REASONABLE RATE OF RETURN ON THE FAIR VALUE OF ITS PROPERTY THROUGHOUT THE STATE OF ARIZONA.

DOCKET NO. W-02450A-12-0312

IN THE MATTER OF THE APPLICATION OF VALENCIA WATER COMPANY – GREATER BUCKEYE DIVISION FOR THE ESTABLISHMENT OF JUST AND REASONABLE RATES AND CHARGES FOR UTILITY SERVICE DESIGNED TO REALIZE A REASONABLE RATE OF RETURN ON THE FAIR VALUE OF ITS PROPERTY THROUGHOUT THE STATE OF ARIZONA.

DOCKET NO. W-02451A-12-0313

Arizona Corporation Commission

DOCKETED

SEP 17 2015

DOCKETED BY	TV
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1 IN THE MATTER OF THE APPLICATION OF
2 GLOBAL WATER – SANTA CRUZ WATER
3 COMPANY FOR THE ESTABLISHMENT OF JUST
4 AND REASONABLE RATES AND CHARGES FOR
5 UTILITY SERVICE DESIGNED TO REALIZE A
6 REASONABLE RATE OF RETURN ON THE FAIR
7 VALUE OF ITS PROPERTY THROUGHOUT THE
8 STATE OF ARIZONA.

DOCKET NO. W-20446A-12-0314

6 IN THE MATTER OF THE APPLICATION OF
7 WILLOW VALLEY WATER COMPANY FOR THE
8 ESTABLISHMENT OF JUST AND REASONABLE
9 RATES AND CHARGES FOR UTILITY SERVICE
10 DESIGNED TO REALIZE A REASONABLE RATE
11 OF RETURN ON THE FAIR VALUE OF ITS
12 PROPERTY THROUGHOUT THE STATE OF
13 ARIZONA.

DOCKET NO. W-01732A-12-0315

**NOTICE OF FILING PROPOSED
ORDER STAYING SIB MECHANISM**

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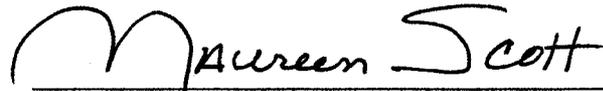
In Decision No. 74364 (February 26, 2014), the Arizona Corporation Commission (“Commission”) approved a system improvement benefits mechanism (“SIB”) for Willow Valley Water Company. On August 18, 2015, the Court of Appeals issued an opinion in Case No. 1 CA-CC 13-0002, which set aside the Commission’s approval of a SIB mechanism that was materially identical to the SIB approved in Decision No. 74364.

In light of the Court’s ruling, it is appropriate to stay the implementation of the SIB mechanism, along with all compliance matters related to the SIB mechanism as set forth in the Plan of Administration, pending the outcome of further court proceedings.

It is anticipated that the proposed order will be scheduled to be considered by the Commission during the regularly scheduled Open Meeting on October 20 and 21, 2015. However, interested parties should check the Commission’s website for posting of this item on a Commission agenda.

1 It is noted that the attached proposed order is not an order of the Commission. Exceptions to
2 the proposed order may be filed in the docket by September 28, 2015.

3 RESPECTFULLY SUBMITTED this 17th day of September, 2015.
4

5 

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14 Original and thirteen (13) copies of the
15 foregoing filed this 17th day of September,
16 2015, with:

17 Docket Control
18 Arizona Corporation Commission
19 1200 West Washington Street
20 Phoenix, Arizona 85007

21 Copy of the foregoing mailed and/or emailed
22 this 17th day of September, 2015, to:

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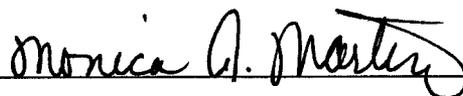
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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 SUSAN BITTER SMITH - CHAIRMAN
4 BOB STUMP
5 BOB BURNS
6 DOUG LITTLE
7 TOM FORESE

8 IN THE MATTER OF THE APPLICATION OF
9 VALENCIA WATER COMPANY – TOWN
10 DIVISION FOR THE ESTABLISHMENT OF JUST
11 AND REASONABLE RATES AND CHARGES FOR
12 UTILITY SERVICE DESIGNED TO REALIZE A
13 REASONABLE RATE OF RETURN ON THE FAIR
14 VALUE OF ITS PROPERTY THROUGHOUT THE
15 STATE OF ARIZONA.

DOCKET NO. W-01212A-12-0309

16 IN THE MATTER OF THE APPLICATION OF
17 GLOBAL WATER – PALO VERDE UTILITIES
18 COMPANY FOR THE ESTABLISHMENT OF JUST
19 AND REASONABLE RATES AND CHARGES FOR
20 UTILITY SERVICE DESIGNED TO REALIZE A
21 REASONABLE RATE OF RETURN ON THE FAIR
22 VALUE OF ITS PROPERTY THROUGHOUT THE
23 STATE OF ARIZONA.

DOCKET NO. SW-20445A-12-0310

24 IN THE MATTER OF THE APPLICATION OF
25 WATER UTILITY OF NORTHERN SCOTTSDALE,
26 INC. FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-03720A-12-0311

27 IN THE MATTER OF THE APPLICATION OF
28 WATER UTILITY OF GREATER TONOPAH, INC.
FOR THE ESTABLISHMENT OF JUST AND
REASONABLE RATES AND CHARGES FOR
UTILITY SERVICE DESIGNED TO REALIZE A
REASONABLE RATE OF RETURN ON THE FAIR
VALUE OF ITS PROPERTY THROUGHOUT THE
STATE OF ARIZONA.

DOCKET NO. W-02450A-12-0312

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1 IN THE MATTER OF THE APPLICATION OF
2 VALENCIA WATER COMPANY – GREATER
3 BUCKEYE DIVISION FOR THE
4 ESTABLISHMENT OF JUST AND REASONABLE
5 RATES AND CHARGES FOR UTILITY SERVICE
6 DESIGNED TO REALIZE A REASONABLE RATE
7 OF RETURN ON THE FAIR VALUE OF ITS
8 PROPERTY THROUGHOUT THE STATE OF
9 ARIZONA.

DOCKET NO. W-02451A-12-0313

6 IN THE MATTER OF THE APPLICATION OF
7 GLOBAL WATER – SANTA CRUZ WATER
8 COMPANY FOR THE ESTABLISHMENT OF JUST
9 AND REASONABLE RATES AND CHARGES FOR
10 UTILITY SERVICE DESIGNED TO REALIZE A
11 REASONABLE RATE OF RETURN ON THE FAIR
12 VALUE OF ITS PROPERTY THROUGHOUT THE
13 STATE OF ARIZONA.

DOCKET NO. W-20446A-12-0314

11 IN THE MATTER OF THE APPLICATION OF
12 WILLOW VALLEY WATER COMPANY FOR THE
13 ESTABLISHMENT OF JUST AND REASONABLE
14 RATES AND CHARGES FOR UTILITY SERVICE
15 DESIGNED TO REALIZE A REASONABLE RATE
16 OF RETURN ON THE FAIR VALUE OF ITS
17 PROPERTY THROUGHOUT THE STATE OF
18 ARIZONA.

DOCKET NO. W-01732A-12-0315

DECISION NO. _____

ORDER

16 Open Meeting
17 October 20, 2015
18 Phoenix, Arizona

18 **BY THE COMMISSION:**

19 **FINDINGS OF FACT**

20 1. On February 26, 2014, the Arizona Corporation Commission (“Commission”) issued
21 Decision No. 74364. Among other things, Decision No. 74364 approved Willow Valley Water
22 Company (“Company”) to implement a system improvement benefits mechanism (“SIB”). On
23 August 18, 2015, the Arizona Court of Appeals issued an opinion in Case No. 1 CA-CC 13-0002
24 which set aside the Commission’s approval of a SIB mechanism that was materially identical to the
25 SIB mechanism approved in Decision No. 74364.

26 2. In light of the Court’s ruling, and in balancing the interests that are implicated in this
27 matter, the Commission finds it is reasonable and in the public interest to stay operation of the SIB
28 ...

1 mechanism approved for the Company by Decision No. 74364 pending the outcome of further court
2 proceedings.

3 CONCLUSIONS OF LAW

4 1. Willow Valley Water Company is a public service corporation within the meaning of
5 Article XV of the Arizona Constitution.

6 2. The Commission has jurisdiction over Willow Valley Water Company, and the subject
7 matter of this filing.

8 3. It is in the public interest to stay the operation of the System Improvement Benefits
9 Mechanism approved by Decision No. 74364 pending the outcome of further court proceedings and
10 until further order of the Commission.

11 ORDER

12 IT IS THEREFORE ORDERED that the System Improvement Benefit Mechanism approved
13 by Decision No. 74364, is hereby stayed until further order of the Commission.

14 IT IS FURTHER ORDERED that all compliance requirements specifically associated with
15 operation of the System Improvement Benefits Mechanism are stayed until further order of the
16 Commission.

17 IT IS FURTHER ORDERED that all other aspects of Decision No. 74364 shall remain in
18 effect.

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

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN _____ COMMISSIONER _____

COMMISSIONER _____ COMMISSIONER _____ 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 _____ day of _____, 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

\CHH

1 SERVICE LIST FOR: Willow Valley Water Company
DOCKET NO. W-01212A-12-0309 Et Al.

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