



0000166477

BEFORE THE ARIZONA CORPORATIC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION
OF CHAPARRAL CITY WATER COMPANY
FOR A DETERMINATION OF THE
CURRENT FAIR VALUE OF ITS UTILITY
PLANT AND PROPERTY AND FOR
INCREASE IN ITS RATES AND CHARGES
BASED THEREON.

DOCKET NO. W-02113A-13-0118

DECISION NO. 75296

ORDER Arizona Corporation Commission

DOCKETED

OCT 27 2015

DOCKETED BY

Open Meeting
October 20, 2015
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On June 20, 2014, the Arizona Corporation Commission (“Commission”) issued Decision No. 74568. Among other things, Decision No. 74568 approved Chaparral City Water Company (“Company”) to implement a system improvement benefits mechanism (“SIB”). On August 18, 2015, the Arizona 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 mechanism approved in Decision No. 74568.

2. In light of the Court’s ruling, and in balancing the interests that are implicated in this matter, the Commission finds it is reasonable and in the public interest to stay operation of the SIB mechanism approved for the Company by Decision No. 74568 pending the outcome of further court proceedings.

...
...
...

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CONCLUSIONS OF LAW

1. Chaparral City Water Company is a public service corporation within the meaning of Article XV of the Arizona Constitution.

2. The Commission has jurisdiction over Chaparral City Water Company, and the subject matter of this filing.

3. It is in the public interest to stay the operation of the System Improvement Benefits Mechanism approved by Decision No. 74568 pending the outcome of further court proceedings and until further order of the Commission.

ORDER

IT IS THEREFORE ORDERED that the System Improvement Benefit Mechanism approved by Decision No. 74568, is hereby stayed until further order of the Commission.

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

IT IS FURTHER ORDERED that all other aspects of Decision No. 74568 shall remain in effect.

...
...
...
...
...
...
...
...
...
...
...
...
...
...
...

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 27th day of October, 2015.


JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

\CHH:BH:mam

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 SERVICE LIST FOR: Chaparral City Water Company
2 DOCKET NO. W-02113A-13-0118

3 Thomas H, Campbell
4 Michael. T. Hallam
5 LEWIS ROCA ROTHGERBER, LLP
6 201 E. Washington Street, Suite 1200
7 Phoenix, Arizona 85004
8 Attorneys for Chaparral City Water Company

9 Daniel W. Pozefsky, Chief Counsel
10 Residential Utility Consumer Office
11 1110 West Washington, Suite 220
12 Phoenix, Arizona 85007

13 Andrew J. McGuire
14 David A. Pennartz
15 Landon W. Loveland
16 GUST ROSENFELD, PLC
17 One East Washington Street, Suite 1600
18 Phoenix, Arizona 85004
19 Attorneys for the Town of Fountain Hills

20 Lina Bellenir
21 16301 East Jacklin Drive
22 Fountain Hills, AZ 85268

23 Gale Evans
24 Patricia Huffman
25 16218 E. Palisades Blvd.
26 Fountain Hills, AZ 85268

27 Leigh M. Oberfeld-Berger
28 16623 E. Ashbrook Drive, Unit #2
Fountain Hills, AZ 85268

Tracey Holland
16224 E. Palisades Blvd.
Fountain Hills, AZ 85268

Leonora M. Hebenstreit
16632 E. Ashbrook Drive, Unit A
Fountain Hills, AZ 85268

23
24
25
26
27
28