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BEFORE THE ARIZONA CORPOR

Arizona Corporation Commission

DOCKETED

OCT 27 2015

DOCKETED BY [Signature]

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF LITCHFIELD PARK SERVICE COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE FAIR VALUE OF ITS UTILITY PLANTS AND PROPERTY AND FOR INCREASES IN ITS WASTEWATER RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE.

DOCKET NO. SW-01428A-13-0042

IN THE MATTER OF THE APPLICATION OF LITCHFIELD PARK SERVICE COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE FAIR VALUE OF ITS UTILITY PLANTS AND PROPERTY AND FOR INCREASES IN ITS WATER RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE.

DOCKET NO. W-01427A-13-0043

DECISION NO. 75303

Open Meeting
October 20, 2015
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On April 14, 2014, the Arizona Corporation Commission ("Commission") issued Decision No. 74437. Among other things, Decision No. 74437 approved Liberty Utilities (Litchfield Park Water and Sewer) Corp. ("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 approved in Decision No. 74437.

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

1 mechanism approved for the Company by Decision No. 74437 pending the outcome of further court
2 proceedings.

3 **CONCLUSIONS OF LAW**

4 1. Liberty Utilities (Litchfield Park Water and Sewer) Corp. is a public service
5 corporation within the meaning of Article XV of the Arizona Constitution.

6 2. The Commission has jurisdiction over Liberty Utilities (Litchfield Park Water and
7 Sewer) Corp., and the subject 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. 74437 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 74437, 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 likewise stayed until further order of
16 the Commission.

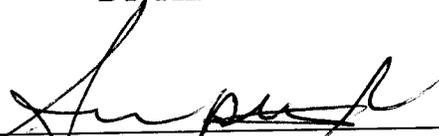
17 IT IS FURTHER ORDERED that all other aspects of Decision No. 74437 shall remain in
18 effect.

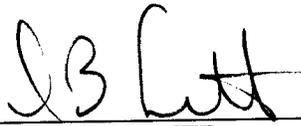
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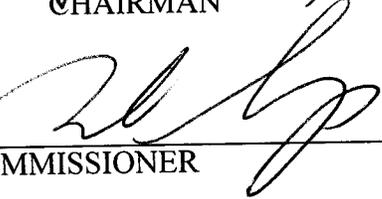
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IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION


CHAIRMAN

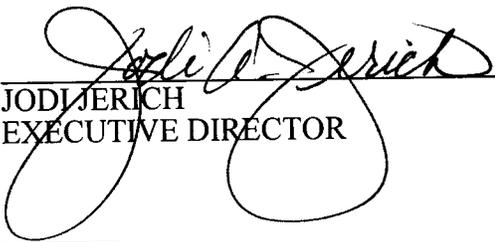

COMMISSIONER


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 27th day of October, 2015.


JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

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