1 BEFORE THE ARIZONA CORPORATION COMMISSION 2 COMMISSIONERS 3 JIM O'CONNOR - CHAIRMAN LEA MÁROUEZ PETERSON ANNA TOVAR KEVIN THOMPSON 5 NICK MYERS 6 7 IN THE MATTER OF THE APPLICATION OF DOCKET NO. W-02195B-24-0068 BONITA CREEK WATER COMPANY FOR 8 APPROVAL OF A RATE INCREASE. DECISION NO. 79488 Arizona Corporation Commission 9 **ORDER** DOCKETED 10 Open Meeting August 13, 2024 AUG 1 5 2024 11 Phoenix, Arizona BY THE COMMISSION: **DOCKETED BY** 12 Having considered the entire record herein and being fully advised in the premises, the Arizona 13 Corporation Commission ("Commission") finds, concludes, and orders that: 14 15 FINDINGS OF FACT **Procedural History** 16 1. On March 26, 2024, Bonita Creek Water Company ("Bonita Creek" or "Company") 17 filed an application with the Commission for Approval of a Rate Increase ("Application"). 18 2. On March 29, 2024, Bonita Creek filed an Affidavit of Mailing Customer Notice. No 19 customer comments were received in response to the notice. 20 3. On April 11, 2024, a Procedural Order regarding Consent to Email service was issued. 21 4. On April 25, 2024, the Commission's Utilities Division ("Staff") filed a Sufficiency 22 Letter stating that the Application had met the sufficiency requirements of Arizona Administrative 23 Code ("A.AC.") R14-2-103, and that Bonita Creek had been classified as a Class E utility. 24 5. On June 26, 2024, Staff filed a Staff Report, recommending approval of the Application. 25 6. On July 2, 2024, a Procedural Order was issued directing Staff to address certain 26 questions raised by the Staff Report on or before July, 22, 2024. 27 28 ¹ The Application was facilitated by the Commission's Ombudsman's Office.

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Company Background

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8. Bonita Creek is a Class E water utility company that serves approximately 62 connections. The Company is located in Gila County approximately 15 miles northeast of the Town of Payson and is surrounded by National Forest Service land. The Commission approved Bonita Creek's current rates in Decision No.78159 July 28, 2021. The current Application is based on a test year ending December 31, 2023.

On July 22, 2024, Staff docketed a Staff Addendum to the Staff Report.

- 9. The Company's water system consists of water pumped from Bonita Creek via a pump yielding 25 gallons per minute, three 10,000-gallon storage tanks, an aluminum sulfate mixing tank, a 500-gallon sand filter, two fine filters, an ultraviolet lamp, a turbidity meter, a chlorination meter, and a distribution meter. All 62 customers are presently served using 5/8 x 3/4-inch meters.
- Engineering Staff observes that during an inspection of the water system, Staff verified 10. that the proposed rate base additions were prudent. Staff concludes that Bonita Creek's Utility Plant in Service is used and useful in the Company's provision of water utility service.
- 11. Staff notes that during the test year ending December 31, 2023, Bonita Creek experienced a water loss of 21.1 percent, which the Company attributes backwashing and aging infrastructure. The amount of the reported water loss is greater than the 10 percent maximum recommended by Staff. As such, Staff recommends that Bonita Creek continue to monitor and address the system's water loss, and that the Company be required, as a compliance item in this docket, to file a water loss report for the water system within one year of the effective date of this Decision. Staff further recommends that if the water loss report reflects that the Company's water loss still exceeds 10 percent, Bonita Creek should submit either a detailed Water Loss Reduction Plan or a cost-benefit analysis showing the feasibility of addressing the excessive water loss.
- 12. Staff notes that according to a Compliance Status Report ("CSR") dated April 30, 2024, from the Arizona Department of Environmental Quality ("ADEQ"), the water system has no major deficiencies and ADEQ concluded that the Company is currently delivering water that meets quality standards required by 40 CFR 141 and A.A.C., Title 18, Chapter 4.
 - 13. Staff relates that according to the Arizona Department of Water Resources ("ADWR"),

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the Company is not located with an ADWR Active Management Area. Further, according to a CSR dated May 21, 2024, Bonita Creek is currently compliant with ADWR's requirements governing water providers and/or community water systems.

- 14. Engineering Staff notes that the Company's proposed depreciation rates do not align with Staff's typical and customary depreciation rates. Staff recommends that Bonita Creek be required to adopt the depreciation rates presented in Attachment 4 to the Engineering Report.
- 15. Staff notes that a review of the Consumer Services database for Bonita Creek from January 1, 2021, to May 29, 2024, reflects that no complaints against the Company and no opinions in opposition to the Application have been filed.
- 16. According to Staff's review of the Commission's Compliance Database completed on April 26, 2024, Staff notes that Bonita Creek is in compliance with all trackable Commission requirements.
- 17. Staff states that Bonita Creek has approved Cross-Connections/Backflow Prevention, Curtailment, and Emergency Water Augmentation tariffs on file with the Commission.

Rate Application

Summary

- 18. Bonita Creek proposes an Operating Revenue of \$78,337, an increase of \$26,227, or 50.33 percent, over test year revenue of \$52,110. The Company's proposal results in Operating Income of \$3,280 an Operating Margin of 4.19 percent and a cash flow of \$8,577. Bonita Creek proposes an Original Cost Rate Base ("OCRB"), which is the same as its Fair Value Rate Base ("FVRB"), of (\$24,148). Under the Company's proposed rates, the typical residential monthly bill for a customer on a 5/8 x 3/4-inch meter, with an average usage of 1,151 gallons per month, would experience an increase of \$36.06, from \$72.11 to \$108.17, or 50.01 percent, per month.
- 19. Staff recommends Operating Revenue of \$77,037, an increase of \$24,927, or 47.84 percent, over test year Operating Revenue of \$52,110. Staff's recommendation results in Operating Income of \$3,487, an Operating Margin of 4.53 percent and cash flow of \$6,503. Staff further recommends an OCRB/FVRB of \$61,324. Under Staff's recommended rates, the typical residential monthly bill for a customer on a 5/8 x 3/4-inch meter, with an average usage of 1,151 gallons per

month, would experience an increase of \$33.39, from \$72.11 to \$105.50, or 46.31 percent, per month.

Adjustments to Rate Base

- 20. Staff notes that its adjustment to the proposed amortization of Contributions in Aid of Construction ("CIAC") reflects an increase of \$44,692, from (\$22,346) to \$22,346. Staff explains that the adjustment reflects Staff's correction to the Company's calculations of the amortization of the CIAC from the original incorrect classification of the CIAC as Advances in Aid of Construction.
 - 21. We find that Staff's \$44,692 adjustment to CIAC is reasonable, and we adopt it.
- 22. We further find that Staff's recommended OCRB/FVRB of \$61,324 is reasonable, and we adopt it.

Statement of Operating Income

Test Year Operating Revenue

- Staff accepts Bonita Creek's proposed test year Operating Revenue of \$52,110.
 Test Year Operating Expenses
- 24. Bonita Creek proposes total test year Operating Expenses of \$74,730. Staff's adjustments to test year Operating Expenses result in a net decrease of \$1,491, from \$74,730 to \$73,239.
- 25. Staff recommends an adjustment to Bonita Creek's proposed test year Depreciation Expense of \$2,281, from \$5,297 to \$3,016. The decrease reflects the application of Staff's recommended typical and customary depreciation rates.
- 26. Staff adjusted Bonita Creek's proposed test year Property Tax Expense by \$726, from \$1,223 to \$1,949, due to a revised Assessment Ratio.
- 27. Staff adjusted the Company's proposed test year Income Taxes from (\$64) to \$0. Staff states that the adjustment is necessary because the Bonita Creek Homeowner's Association in a non-taxable entity.
- 28. We find that Staff's recommended adjusted test year Operating Revenue of \$52,110 and Operating Expenses of \$73,239, are reasonable and we adopt them.
 - 29. Accordingly, Bonita Creek's adjusted test year Operating Income is (\$21,129).

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Revenue Requirement

- 30. The Company proposes total Operating Revenue of \$78,337. Staff recommends adjusted Operating Revenue of \$77,037, an increase of \$24,927, or 47.84 percent, over test year Operating Revenue of \$52,110. Staff also recommends total Operating Expenses of \$73,550, for Operating Income of \$3,487.
- 31. Staff's recommendation reflects a rate of return on the \$61,324 FVRB of 5.69 percent. an Operating Margin of 4.31 percent, and a total net cash flow of \$6,503.
- 32. Typically, when a water company has a positive rate base, Revenue Requirement is determined by the application of a cost of capital analysis. However, in instances where a company is quite small, the typical rate of return analysis does not yield reasonable rates and it can be beneficial to determine a reasonable Revenue Requirement through the use of an Operating Margin and/or cash flow analysis. This allows a better determination of whether a small company has sufficient funds to continue to provide safe and reliable water service.
- 33. We believe that, in this instance, Staff's analysis that results in an annual cash flow of \$6,503 for Bonita Creek is reasonable.
- 34. Accordingly, we find that Staff's recommended Revenue Requirement of \$77,037 is reasonable, and we adopt it.

Rate Design

- 35. Bonita Creek proposes a rate structure that includes a monthly minimum charge that increases by meter size and inverted three-tier commodity rates with breakover points at 2,000 gallons and 7,000 gallons for the $5/8 \times 3/4$ -inch and 3/4-inch meters.
 - 36. Staff recommends accepting the Company's proposed rate structure.
- 37. The rates for Bonita Creek at present, as proposed by Bonita Creek, as recommended by Staff, and as adopted herein, are as follow:

1		Present	Proposed		
	MONTHLY MINIMUM	Rates	Company	<u>Staff</u>	Adopted Rates
2	CHARGE:				
3					
4	5/8" x 3/4" Meter	\$64.15	\$96.23	\$96.00	\$85.00
4	3/4" Meter	96.23	144.35	144.00	144.00
5	1" Meter	160.38	240.56	240.00	240.00
	1-1/2" Meter	320.75	481.11	480.00	480.00
6	2" Meter	513.20	769.77	768.00	768.00
7	3" Meter	1,026.40	1,539.56	1,536.00	1,536.00
_ ′	4" Meter	1,603.75	2,405.55	2,400.00	2,400.00
8	6" Meter	3,207.50	4,811.10	4,800.00	4,800.00
9	COMMODITY RATES All Classes	, A			
10	(Per 1,000 Gallons)				
10	(
11	5/8 x 3/4" Meter				
12	First 2,000 Gallons	\$6.91	\$10.37	\$8.25	N/A
12	From 2,001 to 7,000 Gallons	10.37	15.56	13.50	N/A
13	Over 7,000 Gallons	12.44	18.66	15.00	N/A
14	First 2,000 Gallons	N/A	N/A	N/A	¢1./ 17
14	From 2,001 to 5,000 Gallons	N/A N/A	N/A N/A	N/A N/A	\$16.17
15	Over 5,000 Gallons	N/A	N/A	N/A N/A	26.46 29.40
	Over 5,000 Ganons	IV/A	IV/A	IN/A	29.40
16	<u>3/4" – Meter</u>				
17	First 2,000 Gallons	\$6.91	\$10.37	\$8.25	N/A
1,	From 2,001 to 7,000 Gallons	10.37	15.56	13.50	N/A
18	Over 7,000 Gallons	12.44	18.66	15.00	N/A
19	DI 10 000 G H				
19	First 2,000 Gallons	N/A	N/A	N/A	\$16.17
20	From 2,001 to 5,000 Gallons	N/A	N/A	N/A	26.46
i	Over 5,000 Gallons	N/A	N/A	N/A	29.40
21	1" - Meter				
22	First 2,000 Gallons	\$10.37	\$15.56	_2	NI/A
22	Over 2,000 Gallons	12.44	18.66	<u>-</u>	N/A N/A
23	5 voi 2,000 Gamons	12.77	10.00	_	IN/A
	First 5,000 Gallons				\$26.46
24	Over 5,000 Gallons				29.40
25					
26	•••				
27					
28	² Staff did not provide rates for the 1-incl	through the 6-inch	Meters.		

	1-1/2" – Meter				
1	First 25,000 Gallons	\$10.37	\$15.56	_	\$26.46
2	Over 25,000	12.44	18.66	-	29.40
-					
3	<u>2" – Meter</u>				
	First 80,000 Gallons	\$10.37	\$15.56	-	\$26.46
4	Over 80,000 Gallons	\$12.44	\$18.66	-	29.40
5	30 35 4				
	3" – Meter First 135,000 Gallons	¢10.27	Ф1 <i>5 56</i>		607.46
6	Over 135,000 Gallons	\$10.37 12.44 .	\$15.56 18.66	-	\$26.46 29.40
7	Over 133,000 Ganons	12.44 .	10.00	-	29.40
	4" – Meter				
8	First 320,000 Gallons	\$10.37	\$15.56	-	\$26.46
9	Over 320,000 Gallons	12.44	18.66	<u>-</u>	29.40
9	,				
10	<u>6" – Meter</u>				
l	First 500,000 Gallons	\$10.37	\$15.56	-	\$26.46
11	Over 500,000 Gallons	12.44	18.66	-	29.40
12					
12	SERVICE CHARGE:				
13	Establishment		\$50.00	\$60.00	\$60.00
14	Reconnection (Delinquent)		50.00	60.00	\$60.00 60.00
14	After Hours Service Charge (at		50.00	60.00	60.00
15	customer's request)		50.00	00.00	00.00
	Meter Test (If Correct)		40.00	48.00	48.00
16	Meter Re-Read (If Correct)		35.00	42.00	42.00
17	NSF Check		30.00	36.00	36.00
17	Deposit		*	*	*
18	Deposit Interest		**	**	**
	Re-Establishment (Within 12 Months)		***	***	***
19	Deferred Payment		****	****	****
20	Late Payment (Per Month)		****	****	****
F					

^{*} Per Commission rule A.A.C. R14-2-403.B.7.

In addition to all other rates and charges authorized herein, the Company shall collect from its customers all applicable sales, transaction, privilege, regulatory or other taxes and assessments as may apply now or in the future, Per A.A.C R14-2-409.D.5.

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^{**} Per Commission rule A.A.C. R14-2-403.B.3.

^{***} Per Commission rule A.A.C. R14-2-403.D.

^{****} Per Commission rule A.A.C. R14-2-403.G.

^{***** 1.5%} of \$3.00, whichever is greater.

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SERVICE LINE AND METER INSTALLATION CHARGES:

(Refundable pursuant to A.A.C. R14-2-405)

`			- /	Comp	pany Pro	posed	Staff	Recomm	ended
	Pr	esent Ra	tes		Rates			Rates	
	Service	Meter	Total	Service	Meter	Total	Service	Meter	Total
	Line	Charge	Charge	Line	Charge	Charge	Line	Charge	Charge
5/8" x 3/4" Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
3/4" Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
1" Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
1 1/2" Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
2" Turbine Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
2" Compound Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
3" Turbine Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
3" Compound Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
4" Turbine Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
4" Compound Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
6" Turbine Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost
6" Compound Meter	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost	At Cost

- 38. For the typical customer on a 5/8 x 3/4-inch meter, Bonita Creek's proposed rate design would increase the monthly bill for a customer with average usage of 1,151 gallons by \$36.07, from \$72.10 to \$108.17, or 50.03 percent. This rate design would generate 95.04 percent of Bonita Creek's revenue by from the first tier commodity rates and the monthly minimum charges, 4.0 percent from the second tier, and 0.96 percent from the third tier.
- 39. For the typical customer on a 5/8 x 3/4-inch meter, Staff's recommended rate design would increase the monthly bill for a customer with average usage of 1,151 gallons by \$33.40, from \$72.10 to \$105.50, or 46.32 percent.
- 40. Staff notes that it considered the Commission's Water Policy outlined in Decision No. 75626 regarding the percentage of revenues that should gathered from each tier. Staff's recommended rate design would generate 95.65 percent of Bonita Creek's revenue from the first tier commodity rates and the monthly minimum charges, 3.56 percent from the second tier, and 0.79 percent from the third tier.
- 41. We note that Staff's rate design does not comply with the Commission's Water Policy. However, given the low customer count and the very low average water use, Staff's rate design resulting in the great majority of revenues coming from the first tier is reasonable. Nevertheless, we believe that some attempt to encourage some level of water conservation is needed.

42. The rate design we adopt is reasonable as it achieves a modicum of movement toward a better conservation rate. For the typical customer on a 5/8 x 3/4-inch meter, the adopted rate design would increase the monthly bill for a customer with average usage of 1,151 gallons by \$31.51, from \$72.10 to \$103.61, or 43.70 percent. This rate design would generate 91.39 percent of Bonita Creek's revenue from the first tier commodity rates and the monthly minimum charges, 6.23 percent from the second tier, and 2.38 percent from the third tier.

43. Also, we find that Staff's recommended Service Charges and Service Line and Meter Installation Charges are reasonable, and we adopt them.

Additional Staff Recommendations

- 44. In its Staff Report, Staff made the following additional recommendations:
- (a) That the Company docket a schedule of its approved rates and charges within 30 days of the effective date of a Commission Decision in this matter.
- (b) That the Company notify its customers of the authorized rates and charges approved in this proceeding, and the effective date, in a form acceptable to Staff by means of an insert in its next regularly scheduled billing, and file copies of the notice with Docket Control in this Docket within ten days of the date the notice is sent to customers.
- 45. Staff's additional recommendations are reasonable, and we adopt them with the minor modification that the Company shall docket the schedule of its approved rates and charges by August 30, 2024.

CONCLUSIONS OF LAW

- 1. Bonita Creek is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-250 and 40-251.
- 2. The Commission has jurisdiction over Bonita Creek and the subject matter of the Application.
 - 3. Bonita Creek provided notice of the Application in accordance with Arizona Law.
 - 4. Bonita Creek has an FVRB of \$61,324.
- 5. The rates, charges, and conditions of service authorized herein are just, reasonable, and in the public interest, and should be approved without a hearing.

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<u>ORDER</u>

IT IS THEREFORE ORDERED that Bonita Creek Water Company shall file with Docket Control, as a compliance item in this docket, revised schedules setting forth the following authorized rates and charges on or before August 30, 2024.

MONTHLY MINIMUM CHARGE:

5/8" x 3/4" Meter	\$85.00
3/4" Meter	144.00
1" Meter	240.00
1-1/2 Meter	480.00
2" Meter	768.00
3" Meter	1,536.00
4" Meter	2,400.00
6" Meter	4,800.00

COMMODITY RATES

All Classes

(Per 1,000 gallons)

5/8 x 3/4" Meter

First 2,000 Gallons \$16.17 2,001--5,000 Gallons 26.46 Over 5,000 Gallons 29.40

3/4" - Meter

First 2,000 Gallons \$16.17 2,001-5,000 Gallons 26.46 Over 5,000 Gallons 29.40

1" -Meter

First 5,000 Gallons \$26.46 Over 5,000 Gallons 29.40

1-1/2"—Meter

First 25,000 Gallons \$26.46 Over 25,000 Gallons 29.40

2" - Meter

First 80,000 Gallons \$26.46 Over 80,000 Gallons 29.40

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79488 DECISION NO.

1	<u>3" – Meter</u> First 135,000 Gallons	\$26.46
2		29.40
3	First 320,000 Gallons	\$26.46
4	Over 320,000 Gallons	29.40
5	<u>6"—Meter</u>	\$26.46
7	Over 500,000 Gallons	29.40
8	1	
9	Reconnection (Delinquent)	\$60.00 60.00
10	customer's request)	60.00
11	Meter Re-Read (If Correct)	48.00 42.00
12 13	Denosit	36.00
14	Deposit Interest	**
15	Deferred Payment Late Payment (Per Month)	****
16	rer Commission rule A.A.C. R	
17	*** Per Commission rule A.A.C. R	14-2-403.D.
18 19	***** 1.5% of \$3.00, whichever is gre	
20	In addition to all other rates and charges	s authorized herein, the Company shall collect from
21	assessments as may apply now or in the	nsaction, privilege, regulatory or other taxes and e future, Per A.A.C R14-2-409.D.5.
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DECISION NO. _____

SERVICE LINE AND METER INSTALLATION CHARGES:

(Refundable pursuant to A.A.C. R14-2-405)

	Service Line	Meter Charge	Total Charge
5/8" x 3/4" Meter	At Cost	At Cost	At Cost
3/4" Meter	At Cost	At Cost	At Cost
1" Meter	At Cost	At Cost	At Cost
1-1/2" Meter	At Cost	At Cost	At Cost
2" Turbine Meter	At Cost	At Cost	At Cost
2" Compound Meter	At Cost	At Cost	At Cost
3" Turbine Meter	At Cost	At Cost	At Cost
3" Compound Meter	At Cost	At Cost	At Cost
4" Turbine Meter	At Cost	At Cost	At Cost
4" Compound Meter	At Cost	At Cost	At Cost
6" Turbine Meter	At Cost	At Cost	At Cost
6" Compound Meter	At Cost	At Cost	At Cost

IT IS FURTHER ORDERED that the approved rates and charges shall be effective for all service provided on and after September 1, 2024.

IT IS FURTHER ORDERED that Bonita Creek Water Company shall notify its customers of the authorized rates and charges approved in this Decision and the effective date, in a form acceptable to Staff by means of an insert in its next regularly scheduled billing, and shall file copies of the notice with Docket Control, as a compliance item in this docket, within 10 days of the date the notice is sent to customers.

IT IS FURTHER ORDERED that Bonita Creek Water Company shall continue to utilize Staff's typical and customary depreciation rates, as delineated in Attachment A of the Staff Engineering Report.

IT IS FURTHER ORDERED that Bonita Creek Water Company shall file with Docket Control by September 30, 2025, as a compliance item in this docket, a Water Loss Report for the water system for the annual period ending August 31, 2025.

DECISION NO.

IT IS FURTHER ORDERED that if the results of the Water Loss Report indicate that Bonita Creek Water Company's water loss continues to exceed 10 percent, Bonita Creek Water Company shall docket, within 90 days of the filing of the Water Loss Report, a Water Loss Reduction Plan or, alternatively, a cost-benefit analysis showing the feasibility of addressing the remaining water loss. IT IS FURTHER ORDERED that this Decision shall become effective immediately. BY ORDER OF THE ARIZONA CORPORATION COMMISSION. COMMISSIONER THOMPSON WITNESS WHEREOF, I, DOUGLAS R. CLARK, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix. day of HUQUST 2024. **EXECUTIVE DIRECTOR** DISSENT DISSENT BAM(rt)gb

DECISION NO.

1	SERVICE LIST FOR:	BONITA CREEK WATER COMPANY
2	DOCKET NO.:	W-02195B-24-0068
3	Derek Olson BONITA CREEK WATER COMPANY	
4	13739 E. Rancho Laredo Dr. Scottsdale, AZ 85262	
5	Thomas Van Flein, Director	
6	Legal Division ARIZONA CORPORATION COMMISSIO	N
7	1200 West Washington Street Phoenix, AZ 85007 LegalDiv@azcc.gov utildivservicebyemail@azcc.gov Consented to Service by Email	
8	utildivservicebyemail@azcc.gov Consented to Service by Email	
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DECISION NO.