

COMMISSIONERS
MIKE GLEASON - Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE



ARIZONA CORPORATION COMMISSION

KRISTIN K. MAYES
Commissioner

Direct Line: (602) 542-4143
Fax: (602) 542-0765
E-mail: kmayes@azcc.gov

September 28, 2007

Chairman Mike Gleason
Commissioner William A. Mundell
Commissioner Jeff Hatch-Miller
Commissioner Gary Pierce

Re: Commission Policy on Prohibition of Groundwater for use on Golf Courses and Ornamental Water Features; Docket No. RW-00000B-07-0051

Dear Colleagues:

I write in response to Commissioner Hatch-Miller's September, 26, 2007 letter concerning the use of effluent and groundwater on golf courses and ornamental lakes. While I remain strongly supportive of the Commission's prohibition on the sale of groundwater for use on golf courses, if some Commissioners wish to revisit the issue, the best venue for such a discussion is in the CC&N generic docket.

As you know, to date, the Commission has adopted the prohibition on the sale of groundwater for use on golf courses and ornamental lakes in 16 cases.¹

With regard to the Best Management Practices ("BMPs") that the Arizona Department of Water Resources ("ADWR") is considering as part of its Third Management Plan, I believe that the Commission should consider going beyond what DWR is proposing for Arizona's medium and large water companies by requiring larger water utilities to adopt a greater number of BMPs than are currently contemplated under the DWR BMP rulemaking.

The Commission can, and I believe should, under appropriate circumstances, require more of regulated water and wastewater companies than the Arizona Department of Water Resources. The Commission should be leading the way in the arena of groundwater conservation, and

¹ Johnson Utils. Co., Decision No. 69414, Docket No. WS-02987A-06-0663; New River Utility Co., Decision No. 69576, Docket No. W-01737A-06-0171; Arizona Water Co., Decision No. 69732, Docket No. W-01445A-07-0018; Empirita Water Co., Decision No. 69399, Docket No. W-03948A-06-0490; Ariz. Water Co., Decision No. 69386, Docket No. W-01445A-06-0317; Lucky Hills Water Co., Decision No. 69381, Docket No. W-01961A-06-0037; Green Acres Water, L.L.C., Decision No. 69256, Docket No. W-20430A-05-0839; Beaver Dam Water Co., Decision No. 69243, Docket No. W-03067A-06-0117; Diablo Village Water Co., Decision No. 69206, Docket No. W-02309A-05-0501; Picacho Water Co., Decision No. 69174, Docket No. W-03528A-06-0313; Ariz. Water Co., Decision No. 69163, Docket No. W-01445A-06-0059; Willow Springs Utils., L.L.C., Decision No. 68963, Docket No. WS-20432A-05-0874; Johnson Utils. Co., Decision No. 68961, Docket No. WS-02987A-05-0695; Diversified Water Utils., Inc., Decision No. 68960, Docket No. W-02859A-04-0844; Ariz. Water Co., Decision No. 68919, Docket No. W-01445A-05-0701; Ariz. Water Co., Decision No. 69901, Docket No. W-01445A-06-0662.

ACC Commissioners

September 28, 2007

Page 2

recently we have been at the forefront of implementing policies designed to wisely safeguard Arizona's precious groundwater supplies.

For your review, I am attaching a law review article to this letter which I wrote highlighting our policy of prohibiting groundwater use on golf courses, turf, and ornamental water features. This article was published in the 49th volume of the University of Arizona College of Law's Arizona Law Review.

I look forward to discussing the Commission's policy goals with regard to groundwater use and water conservation in the upcoming months.

Sincerely,

A handwritten signature in black ink, appearing to read "Kris Mayes", written in a cursive style.

Kris Mayes
Commissioner

Cc: Dean Miller
Ernest Johnson
Chris Kempley
Lyn Farmer
Lace Collins
Parties to the Docket