Leon

**BEFORE THE ARIZONA CORPORATION COMMISSION**

MARC SPITZER
Chairman
WILLIAM A. MUNDELL
Commissioner
JEFF HATCH-MILLER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

Arizona Corporation Commission
DOCKETED
JAN 2 0 2005
DOCKETED BY nR

JAN 2 4 2005

IN THE MATTER OF NAVAJO WATER COMPANY, INC. – FILING FOR A CURTAILMENT PLAN TARIFF

DOCKET NO. W-03511A-04-0905

DECISION NO. 67512

ORDER

Open Meeting
January 11 and 12, 2005
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Navajo Water Company, Inc. ("Company") is certificated to provide water as a public service corporation in the State of Arizona.

2. On December 17, 2004, the Company filed for a curtailment plan tariff.

3. The Company is proposing to add a provision for a "reconnection fee for violation" during the mandatory Stage 3, 4 and 5 conditions, when outdoor watering is prohibited. The Company's proposed tariff differs from Staff's general tariff template that is posted on the Commission's website.

4. Staff needs additional time to complete its review and recommends that the filing be suspended for ninety (90) days.

. . .

. . .

. . .

. . .

CONCLUSIONS OF LAW

1. The Company is an Arizona public service corporation within the meaning of Article XV, Section 2, of the Arizona Constitution.

2. The Commission has jurisdiction over the Company and of the subject matter in this Application.

3. The Commission having reviewed the filing and Staff's Memorandum dated January 3, 2005, concludes that it is in the public interest to suspend the filing for ninety (90) days pursuant to A.R.S. §40-250(B).

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

. . .

ORDER

IT IS THEREFORE ORDERED that this tariff filing be and is hereby suspended for a period of ninety (90) days, through and including April 16, 2005.

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

**BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

CHAIRMAN COMMISSIONER COMMISSIONER

COMMISSIONER COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. McNEIL, Executive Secretary 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 20th day of Jan., 2005.

BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

DISSENT: _____

EGJ:MSJ:cal/DR

SERVICE LIST FOR: Navajo Water Company, Inc.
DOCKET NO. W-03511A-04-0905

Mr. Jay Shapiro
Fennemore Craig
3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012-2913

Ms. Mistie S. Jared
Navajo Water Company, Inc.
Post Office Box 82218
Bakersfield, California 93380-2218

Mr. Ernest G. Johnson
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Mr. Christopher C. Kempley
Chief Counsel
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007