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2009 MAY 15 P 12: 58 Arizona Corporation Commission
DOCKETED
AZ CORP COMMISSION
DOCKET CONTROL
MAY 15 2009

Attorneys for Pine Water Company, Inc.

DOCKETED BY *[Signature]*

BEFORE THE ARIZONA CORPORATION COMMISSION

7 IN THE MATTER OF THE
8 APPLICATION OF PINE WATER
9 COMPANY FOR A DETERMINATION
10 OF THE CURRENT FAIR VALUE OF ITS
11 UTILITY PLANT AND PROPERTY AND
12 FOR INCREASES IN ITS RATES AND
13 CHARGES BASED THEREON FOR
14 UTILITY SERVICE AND FOR
15 APPROVAL TO INCUR LONG-TERM
16 DEBT

DOCKET NO: W-03512A-03-0279

**PINE WATER COMPANY'S
REQUEST FOR STAY**

Emergency Relief Requested

14 Pursuant to the attached order of the Gila County Superior Court, the Pine
15 Strawberry Water Improvement District (the "District") has been granted immediate
16 possession of Pine Water Company's ("PWCo") used and necessary assets effective on or
17 before May 22, 2009. PWCo is ready to transfer such assets and therefore is not in a
18 position to submit data necessary for Staff to conduct a rate review, which data is due this
19 date pursuant to Decision No. 70839 (March 17, 2009).

20 On May 13, 2009, the District informed PWCo that it is currently not able to post
21 the bond and take possession as ordered. At this time, PWCo does not know when the
22 District will comply with the court's order. In the meantime, PWCo respectfully suggests
23 that requiring the Company and Staff to expend resources conducting a rate review for
24 assets that are about to be taken cannot possibly serve the public interest. Instead, PWCo
25 asks that all outstanding compliance obligations be immediately stayed, including the rate
26

1 review filing due this date. Thereafter, PWCo will seek closure of this and all ACC
2 dockets as soon as the District complies with the court order and completes taking
3 possession of the Company's used and necessary assets.

4 DATED this 15th day of May, 2009.

5 FENNEMORE CRAIG, P.C.

6
7 By



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14 ORIGINAL and 13 copies of the foregoing
15 filed this 15th day of May, 2009 with:

16 Docket Control
17 Arizona Corporation Commission
18 1200 West Washington
19 Phoenix, Arizona 85007

20 COPY of the foregoing hand-delivered
21 this 15th day of May, 2009 to:

22 Kristin K. Mayes, Chairman
23 Arizona Corporation Commission
24 1200 W. Washington St.
25 Phoenix, AZ 85007

26 Paul Newman, Commissioner
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Gary Pierce, Commissioner
Arizona Corporation Commission
1200 W. Washington St.
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