

ORIGINAL

Mirabell Water Company
1037 South Alvernon
Suite 250
Tucson, Arizona 85711

Date: 10/27/06

Re: Docket Number: W-02368A-05-0419

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007



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Attached is an application by Mirabell Water Company for approval of a Curtailment Tariff. The purpose of this tariff is to implement water conservation measures during times of water shortages.



Morton Freedman

TARIFF SCHEDULE

Utility: Mirabell Water Co • Tariff Sheet No.: 1 of 4
Docket No.: W-02368A-05-0419 Decision No.: 68233
Phone No.: (520) 323-7777 Effective: 11-1-05

CURTAILMENT PLAN FOR

(Template 063004)

ADEQ Public Water System No: 10178

Mirabell Water ("Company"), is authorized to curtail water service to all customers within its certificated area under the terms and conditions listed in this tariff.

This curtailment plan shall become part of the Arizona Department of Environmental Quality Emergency Operations Plan for the Company.

The Company shall notify its customers of this new tariff as part of its next regularly scheduled billing after the effective date of the tariff or no later than sixty (60) days after the effective date of the tariff.

The Company shall provide a copy of the curtailment tariff to any customer, upon request.

Stage 1 Exists When:

Company is able to maintain water storage in the system at 100 percent of capacity and there are no known problems with its well production or water storage in the system.

Restrictions: Under Stage 1, Company is deemed to be operating normally and no curtailment is necessary.

Notice Requirements: Under Stage 1, no notice is necessary.

Stage 2 Exists When:

- a. Company's water storage or well production has been less than 80 percent of capacity for at least 48 consecutive hours, and
- b. Company has identified issues such as a steadily declining water table, increased draw down threatening pump operations, or poor water production, creating a reasonable belief the Company will be unable to meet anticipated water demand on a sustained basis.

Restrictions: Under Stage 2, the Company may request the customers to voluntarily employ water conservation measures to reduce water consumption by approximately 50 percent. Outside watering should be limited to essential water, dividing outside watering on some uniform basis (such as even and odd days) and eliminating outside watering on weekends and holidays.

TARIFF SCHEDULE

Utility: MIRABELL WATER CO.
Docket No.: W-02348A-03-0419
Phone No.: (520) 323-7777

Tariff Sheet No.: 2 of 4
Decision No.: 68233
Effective: 11-1-05

Notice Requirements: Under Stage 2, the Company is required to notify customers by delivering written notice door to door at each service address, or by United States first class mail to the billing address or, at the Company's option, both. Such notice shall notify the customers of the general nature of the problem and the need to conserve water.

Stage 3 Exists When:

- a. Company's total water storage or well production has been less than 50 percent of capacity for at least 24 consecutive hours, and
- b. Company has identified issues such as a steadily declining water table, increased draw down threatening pump operations, or poor water production, creating a reasonable belief the Company will be unable to meet anticipated water demand on a sustained basis.

Restrictions: Under Stage 3, Company shall request the customers to voluntarily employ water conservation measures to reduce daily consumption by approximately 50 percent. All outside watering should be eliminated, except livestock, and indoor water conservation techniques should be employed whenever possible. Standpipe service shall be suspended.

Notice Requirements:

1. Company is required to notify customers by delivering written notice to each service address, or by United States first class mail to the billing address or, at the Company's option, both. Such Notice shall notify the customers of the general nature of the problem and the need to conserve water.
2. Beginning with Stage 3, Company shall post at least 2 signs showing the curtailment stage. Signs shall be posted at noticeable locations, like at the well sites and at the entrance to major subdivisions served by the Company.
3. Company shall notify the Consumer Services Section of the Utilities Division of the Corporation Commission at least 12 hours prior to entering Stage 3. ?

Once Stage 3 has been reached, the Company must begin to augment the supply of water by either hauling or through an emergency interconnect with an approved water supply in an attempt to maintain the curtailment at a level no higher than Stage 3 until a permanent solution has been implemented.

TARIFF SCHEDULE

Utility: MIRABELL WATER CO.
Docket No.: W-02368A-05-0419
Phone No.: (520) 323-2777

Tariff Sheet No.: 3 of 4
Decision No.: 68233
Effective: 11-1-05

Stage 4 Exists When:

- a. Company's total water storage or well production has been less than 25 percent of capacity for at least 12 consecutive hours, and
- b. Company has identified issues such as a steadily declining water table, increased draw down threatening pump operations, or poor water production, creating a reasonable belief the Company will be unable to meet anticipated water demand on a sustained basis.

Restrictions: Under Stage 4, Company shall inform the customers of a **mandatory** restriction to employ water conservation measures to reduce daily consumption. Failure to comply will result in customer disconnection. The following uses of water shall be prohibited:

- ◆ Irrigation of outdoor lawns, trees, shrubs, or any plant life is prohibited
- ◆ Washing of any vehicle is prohibited
- ◆ The use of water for dust control or any outdoor cleaning uses is prohibited
- ◆ The use of drip or misting systems of any kind is prohibited
- ◆ The filling of any swimming pool, spas, fountains or ornamental pools is prohibited
- ◆ The use of construction water is prohibited
- ◆ Restaurant patrons shall be served water only upon request
- ◆ Any other water intensive activity is prohibited

The Company's operation of its standpipe service is prohibited. The addition of new service lines and meter installations is prohibited.

Notice Requirements:

1. Company is required to notify customers by delivering written notice to each service address, or by United States first class mail to the billing address or, at the Company's option, both. Such notice shall notify the customers of the general nature of the problem and the need to conserve water.
2. Company shall post at least 2 signs showing curtailment stage. Signs shall be posted at noticeable locations, like at the well sites and at the entrance to major subdivisions served by the Company.
3. Company shall notify the Consumer Services Section of the Utilities Division of the Corporation Commission at least 12 hours prior to entering Stage 4.

TARIFF SCHEDULE

Utility: Mirabel Water Co
Docket No.: 11-02368A-05-0419
Phone No.: (520) 323-7777

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Customers who fail to comply with the above restrictions will be given a written notice to end all outdoor use. Failure to comply within two (2) working days of receipt of the notice will result in temporary loss of service until an agreement can be made to end unauthorized use of outdoor water. To restore service, the customer shall be required to pay all authorized reconnection fees. If a customer believes he/she has been disconnected in error, the customer may contact the Commission's Consumer Services Section at 1-800-222-7000 to initiate an investigation.

Once Stage 4 has been reached, the Company must augment the supply of water by hauling or through an emergency interconnect from an approved supply or must otherwise provide emergency drinking water for its customers until a permanent solution has been implemented.

MIRABELL WATER COMPANY

1037 S. Alvernon, Suite 250
(520) 323-7777
Tucson, AZ 85711

Arizona Corporation Commission
Attn: Mr. Brian Bozzo
1200 West Washington
Phoenix, Arizona 85007-2996

October 27, 2006

Dear Mr. Bozzo:

Pursuant to our conversation which included Mr. Dell Smith, please be advised that Mirabell Water Company is ready, willing, and for the most part, able to comply with the Findings of Fact order Decision No. 68233.

The only provision which we have no solution for is paragraph 27 which requires that we employ a "water hauler". We know of no such individual or company which does, or would even be capable of meeting the criteria and licensing requirements, for such a business. Because of the location of the water company and the rural subdivision it serves, and the inaccessability of many of the residences, it would not be possible to serve door to door. We have served our customers faithfully for approximately 20 years and have never failed to accomodate them.

As to paragraph 28, we have already taken steps to reduce water loss to 10% or less. As you suggested, we checked all meters and found several which were inaccurate or difficult to read. We inspected the roadways and detected a significant leak. We replaced 3 bladder tanks, one pump, checked out all electrical and replaced panel , and adjusted pressure gauge.

We will continue to monitor the system, and check monthly for any excessive usage.

Thank you very much for your assistance and patience.

Sincerely,



Morton Freedman