

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: WELDON STUTZMAN

DATE: JULY 19, 2007

SUBJECT: CASE NO. UWI-W-07-01
UNITED WATER'S MOTION FOR APPROVAL OF AMENDMENT TO
SPECIAL FACILITIES AGREEMENT

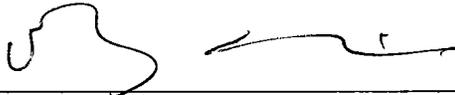
In final Order No. 30345 issued in Case No. UWI-W-07-01, the Commission denied approval of a Special Facilities Agreement (SFA) between United Water and Avimor LLC. The Commission did not approve the SFA because it provided for a refund to Avimor of a significant part of the cost of a water transmission main. In disapproving the SFA, the Commission stated "Accordingly, the Commission does not approve the SFA as filed, but will approve it if amended to require the entire transmission main be contributed by Avimor." Order No. 30345 p. 9.

On July 6, 2007, United Water filed a Compliance Filing and Motion setting forth an amendment to the SFA by United Water and Avimor. The amendments to the SFA remove the terms providing for refunds to Avimor for part of the construction of the water transmission main. The changes also make clear that all of the transmission main costs, whether identified as "on-site main" or "off-site main" will be paid for by Avimor, and "shall be recorded on the Company's books as a contribution in aid of construction." United Water requests approval of the amendments made to the SFA.

Staff recommends the Commission issue an Order approving the Special Facilities Agreement between United Water and Avimor as amended.

COMMISSION DECISION:

Should the Special Facilities Agreement between United Water and Avimor, as amended, be approved?



Weldon B. Stutzman