

To our Rio Verde Foothills Neighbors,

The Arizona Corporation Commission (ACC) is requesting your input, via email (see email addresses below), to determine if you would prefer the DWID or an alternative solution that does not provide a legally dedicated source of water for your property. We are at a pivotal moment and your input is crucial to the final outcome. If you have previously sent an email to the Board of Supervisors, please send another email to the ACC now!

Commissioner Tovar from the Arizona Corporation Commission has sent a letter, attached, to our community asking which of two solutions we prefer. They are asking for you to respond via email with your choice. Here are some important details to the two options to consider.

The two options are as follows:

1. Forming a Domestic Water Improvement District (DWID) through the Maricopa County Board of Supervisors. This would provide a long-term, legally dedicated, outside source of water to the properties in the DWID and provide water for hauling to both members and non-members. The DWID has committed to initially purchase more water than the entire community currently hauls to provide for this.

Clarification: Long-term means 99 years, legally dedicated means the DWID is legally required to serve water to member properties, outside source means not pulling from the aquifer under the Rio Verde Foothills – this is critical for the health of our aquifer and those that currently rely on wells.

2. Working with a Public Service Corporation (PSC) to establish a standpipe that would allow water hauling to continue that would be determined by the Arizona Corporation Commission. This solution would NOT include the PSC expanding its service area aka Certificate of Convenience and Necessity, to include the Rio Verde Foothills. A PSC is not legally required to serve water outside of their service area. This means the PSC would not be obligated to provide water for hauling for the long-term as confirmed by EPCOR below. It also means water would not be legally dedicated to properties in RVF.

In our conversations with hundreds of residents, we are regularly informed by residents that they desire a long-term solution that cannot be taken away like what is currently happening with Scottsdale. Residents want to own their own long-term source of outside water.

This is a summary of talking points with EPCOR's Doug Dunham, Manager of water resources, on 7/13/2022. This is directly from the attached email response from Doug (highlighted for emphasis):

1. EPCOR is currently looking at the feasibility of installing a standpipe to provide water to RVF and has yet to determine if they will be offering a water solution for RVF.
2. Currently, EPCOR has not submitted anything to the Arizona Corporation Commission, has not started building a fill station or determined a final location for one. EPCOR is still working through determining the costs to do so and if a new well would be required.

3. If EPCOR does decide to provide a solution, it would need to obtain permission from the Corporation Commission to do so in the form of a standpipe tariff approved by the Commission. If this happens, EPCOR would have every intention to continue to provide water hauling to the Rio Verde Foothills. Moreover, EPCOR would not be permitted to discontinue the standpipe tariff unilaterally. Instead, it could only discontinue that tariff with Commission permission.
4. Currently, EPCOR is not contemplating expanding its Certificate of Convenience and Necessity (service area) to include RVF. This means that EPCOR would not be legally obligated to serve properties in RVF water since RVF is not included in their service area. Any rights regarding continuity of service, or conversely limitations on service, associated with the potential standpipe service that EPCOR might offer would be dictated by the terms of the standpipe tariff that the Commission ultimately approves.
5. The Arizona Corporation Commission has opened a Docket to determine if the community wants a private utility as a standpipe operator. EPCOR is cooperating with the Commission in this effort. Other options on condition of standpipe service, security of standpipe service, or full extension of CC&N's should be explored with the Commission during this process.
6. The Gila River Adjudication has the possibility, in the future, of having an effect on both private wells and wells owned by EPCOR and Global Water in this area. The adjudication has been going on since the 80's and when the final decision will be made is unknown.

URGENT: Your action is needed to simply send to the ACC Commissioners a note thanking them for opening the docket and letting them know your preferred solution is the DWID so you will have a long-term, legally obligated source of water for your property. Share with them your concerns about water and wells going dry! Arizona Corporate Commission has opened Docket # 22-0194 requesting emails from residents, the letter is attached. Please include the docket # on all emails.

ACC Email addresses with a copy to the water team:

LMarquezPeterson-Web@azcc.gov
SDKennedy-Web@azcc.gov
Olson-Web@azcc.gov
Tovar-Web@azcc.gov
OConnor-Web@azcc.gov
INFO@GotWaterRVF.com

As always, if you have any questions/concerns, just give us a call! 602-299-5222 or 602-402-2206.

In This Together,

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