

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KEVIN THOMPSON – Chairman
NICK MYERS – Vice Chairman
LEA MÁRQUEZ PETERSON
RACHEL WALDEN
RENÉ LOPEZ

IN THE MATTER OF THE APPLICATION
OF VOYAGER AT WHITE MOUNTAIN
LAKES WATER COMPANY, INC., FOR
APPROVAL FOR AN EMERGENCY RATE
INCREASE.

DOCKET W-01983A-23-0166

EXPEDITED REQUEST PURSUANT TO
A.R.S. § 40-252 TO AMEND DECISION
79063 TO CONTINUE AN APPROVED
EMERGENCY SURCHARGE AT A
REDUCED AMOUNT

In Decision 79063, the Arizona Corporation Commission (“Commission”) approved the following interim emergency rate surcharges (“Surcharge”) for Voyager at White Mountain Lakes Water Company, Inc. (“Voyager” or the “Company”) to appear as a separate line item on each customer’s monthly water bill:

METER SIZE	SURCHARGE
5/8 x 3/4”	\$29.55
3/4”	\$44.33
1”	\$73.88
1½”	\$147.75
2”	\$236.41
3”	\$443.26
4”	\$738.77
6”	\$1,477.54

Per Decision 79063, the Surcharge is to terminate without further order of the Commission upon collection of \$605,317 or 24 months after its implementation, whichever is earlier. The Surcharge was first implemented in September 2023, and through July 31, 2025, Voyager has billed \$572,949 in Surcharges. Thus, the Surcharge will terminate pursuant to Decision 79063 within the next 30-45 days.

Decision 79063 orders that Voyager file a full permanent rate case application prepared using an appropriate test year (established by working with Staff) by August 25, 2025. Voyager

has been working with Staff to prepare a rate application that will be filed on or before August 25, 2025, but the Surcharge is set to terminate before new rates and charges can be approved and implemented. Without continuing the Surcharge, Voyager will not be able to fund all ongoing operation, maintenance, and repair expenses through the date that new rates and charges can be approved by the Commission, which will jeopardize the Company's ability to continue providing safe and reliable water service. However, the Company believes the Surcharge can reasonably be lowered from the current amounts without adversely impacting service to customers. Thus, Voyager requests that the Commission amend Decision 79063 pursuant to A.R.S. § 40-252 to authorize the continuation of the following surcharge amounts which would apply to all customer billings on or after September 1, 2025, and continuing through the effective date of new rates and charges approved by the Commission:

METER SIZE	NARUC MULTIPLIER	SURCHARGE
5/8 x 3/4"	1	\$22.00
3/4"	1.5	\$33.00
1"	2.5	\$55.00
1 1/2"	5	\$110.00
2"	8	\$176.00
3"	15	\$330.00
4"	25	\$550.00
6"	50	\$1,100.00

Voyager will provide notice of this request to all customers via a bill insert in its next regular bills. Voyager agrees that all funds collected through the Surcharge (past and future) shall be subject to true-up and customer refund, if applicable, in the Company's upcoming rate case.

BACKGROUND

Voyager is a Class E water company providing service to approximately 790 customers in portions of Navajo County, Arizona. The Company's current rates were approved by the Commission in Decision 62287 (February 1, 2000). The owner of Voyager, Lemuel Stephen Cook, passed away unexpectedly in March 2023, leaving the Company without a properly certified operator. In addition, Mr. Cook had no heirs or succession plan, so a friend and part-time employee, Marc Silliman, has been assisting with the operations of the Company. Since April 1,

1 2023, Mr. Silliman has been the Voyager's president.

2 The stock of Voyager is controlled by the Estate of Lemuel Stephen Cook (the "Cook
3 Estate") which is subject to probate under the jurisdiction of the Navajo County Superior Court in
4 Case No. PB202300106. The personal representative of the Cook Estate duly appointed by the
5 Navajo County Superior Court is Moreau Durkin, who is authorized to direct the management and
6 operation of Voyager subject to the Commission's jurisdiction.

7 On June 23, 2023, Voyager filed an application ("Application") in this docket for approval
8 of the Surcharge currently in effect. In the Application, Voyager stated that the Surcharge was
9 necessary to fund some \$605,317 in expenses, broken down as follows: (i) an estimated \$146,204
10 for specified system repairs; (ii) an estimated \$426,180 to cover two years of management
11 expenses for certified operator Mogollon Water Management ("Mogollon"); and (iii) \$32,933 for
12 past due invoices for participating in the Arizona Department of Environmental Quality's
13 Monitoring Assistance Program ("MAP"). In addition, the Company owed approximately
14 \$155,000 in delinquent property taxes to Navajo County.

15 Based upon the evidence presented at the hearing on Voyager's Application, the
16 Commission determined that "in the absence of a rate increase or emergency surcharge, the
17 Company will be insolvent in less than three months."¹ The testimony of Mr. Silliman and Utilities
18 Division Co-Director Baxter further established that "without an emergency surcharge, the
19 Company's ability to maintain service pending a formal rate determination is in serious doubt."²
20 The Commission approved the Surcharge.

21 Now, two years later, Voyager has made substantial progress. Through July 31, 2025, the
22 Company has funded \$125,390 of the necessary system repairs identified in the Application. The
23 Company has also paid off the \$32,933 in delinquent MAP invoices and has paid Mogollon
24 approximately \$381,601 in certified operator and management fees. Additionally, Voyager has
25 paid off the past-due property taxes due Navajo County and is now current on its property taxes.
26 All of this has been accomplished through careful management and use of the Surcharge revenues.

27
28 ¹ Decision 79063 at page 8, Finding of Fact 50, lines 12-13.

² Decision 79063 at page 8, Finding of Fact 50, lines 14-16.

FINANCIAL PROJECTIONS THROUGH JUNE 2026

Attached hereto as Attachment 1 is a *pro forma* financial statement ("P&L Statement") for Voyager projecting profit and loss by month through June 2026. The *pro forma* P&L Statement reflects the reduction of the Surcharge commencing the billings for water service in September 2025 and continuing through June 2026. With the Surcharge continuing in effect, the *pro forma* P&L shows net income before taxes of only \$9,146 for the 12-month period. Thus, while substantial progress has been made, the *pro forma* P&L Statement clearly shows that Voyager remains unable to fully fund all ongoing operation, maintenance, and repair expenses without continuing the Surcharge beyond the current end date.

REQUEST TO AMEND DECISION 79063

Based on progress made to date, Voyager believes it can reasonably lower the amount of the Surcharge going forward for water service on and after September 1, 2025. Thus, Voyager requests that the Commission amend Decision 79063 pursuant to A.R.S. § 40-252 to authorize the continuation of the Surcharge at the following reduced amounts until such time as the Commission issues a decision on the rate application which will be filed by the Company on or before August 25, 2025:

METER SIZE	NARUC MULTIPLIER	SURCHARGE
5/8 x 3/4"	1	\$22.00
3/4"	1.5	\$33.00
1"	2.5	\$55.00
1 1/2"	5	\$110.00
2"	8	\$176.00
3"	15	\$330.00
4"	25	\$550.00
6"	50	\$1,100.00

Additionally, Voyager requests that the Commission authorize the Company to use the Surcharge revenues to fund the following obligations:

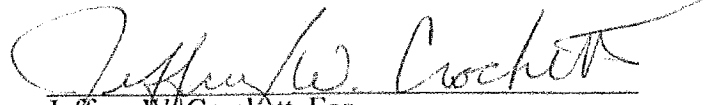
1. Manage fees charged by Mogollon Water Management;
2. Any improvement projects listed in Section 4 of Voyager's application in this docket filed June 23, 2023, which have not yet been completed;

- 1 3. Any capital improvement projects or repairs deemed reasonably necessary by
2 Voyager's management to provide safe and reliable water service.
3 4. Such other relief as the Commission deems necessary or appropriate under the
4 circumstances.

5 Voyager requests that the Commission approve this request on an expedited basis without
6 a hearing.

7 RESPECTFULLY submitted this 12th day of August, 2025.

8 CROCKETT LAW GROUP PLLC

9 
10 Jeffrey W. Crockett, Esq.
11 40 N. Center Street, Suite 106
12 Mesa, Arizona 85201
13 *Attorney for Voyager at White Mountain Lakes*
14 *Water Company, Inc.*

13 ORIGINAL filed with Docket Control via
14 e-File this 12th day of August, 2025.

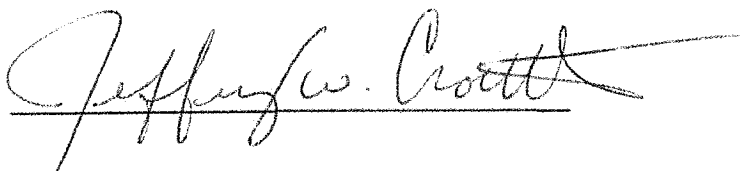
15 COPY of the foregoing e-mailed this
16 12th day of August, 2025, to:

17 Tom Van Flein, Director-Legal Division
18 ARIZONA CORPORATION COMMISSION
19 1200 W. Washington Street
20 Phoenix, Arizona 85007
21 LegalDiv@azcc.gov

22 **Consented to Service by E-mail**

23 Ranelle S. Paladino, Co-Director
24 Briton A. Baxter, Co-Director
25 Utilities Division
26 ARIZONA CORPORATION COMMISSION
27 1200 West Washington Street
28 Phoenix, Arizona 85007
utildivservicebyemail@azcc.gov

Consented to Service by E-mail



1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

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**MOTION PURSUANT TO A.R.S. § 40-252
TO AMEND DECISION 79063 TO
EXTEND DEADLINE TO FILE RATE
CASE**

13 Pursuant to A.R.S. 40-252, Voyager at White Mountain Lakes Water Company, Inc.
14 (“Voyager White Mountain” or the “Company”) requests that the Arizona Corporation
15 Commission (“Commission”) amend Decision 79063 to extend the deadline for filing a rate case
16 through and including December 31, 2025. The Company has pending a separate request to amend
17 Decision 79063 that was filed on August 12, 2025, as discussed below.

18 **BACKGROUND**

19 Voyager White Mountain’s current rates and charges were approved by the Commission
20 in Decision 62287 (February 1, 2000). In 2023, the Company’s owner died unexpectedly and the
21 stock of Voyager White Mountain became subject to probate under the jurisdiction of the Navajo
22 County Superior Court (“Probate Court”) in Case No. PB202300106. The Probate Court
23 appointed a personal representative (“Personal Representative”) with authority to oversee and
24 direct the Company’s management and operations. Since April 1, 2023, Marc Silliman has been
25 the water company’s president responsible for management of the Company’s business operations
26 under the direction of the Personal Representative.

27 On June 9, 2023, Utilities Division Staff (“Staff”) opened this docket for purpose of
28 processing an application by Voyager White Mountain for an emergency rate surcharge. The
Commission approved the requested emergency rate surcharge for Voyager White Mountain in
Decision 79063, finding that “Voyager is facing an ‘emergency’ within the meaning of Op. Att’y

1 Gen. 71-17, *Scates, and Residential Util. Consumer Off.*¹ The surcharge was to continue for 24
2 months from the date of Decision 79063 or until such earlier date as the water company collected
3 of \$605,317. Additionally, Voyager White Mountain was also ordered to file in a new docket,
4 within two years of the effective date of Decision 79063, a full permanent rate case prepared using
5 an appropriate test year established by working with Staff.²

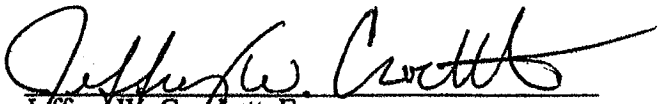
6 On August 12, 2025, Voyager White Mountain filed an Expedited Request Pursuant to
7 A.R.S. § 40-252 to Amend Decision 79063 to Continue the Approved Emergency Surcharge at a
8 Reduced Amount. That request is pending.

9 **RELIEF REQUESTED**

10 While Voyager White Mountain has been working with Staff during the past year to
11 prepare a rate application but the Company requires additional time to complete the application.
12 Thus, Voyager requests that the Commission amend Decision 79063 pursuant to A.R.S. § 40-252
13 to extend the deadline for filing a rate case through and including December 31, 2025. The
14 Company further requests that the Commission grant such other relief as it deems appropriate
15 based upon the facts of this case.

16 RESPECTFULLY submitted this 25th day of August, 2025.

17 CROCKETT LAW GROUP PLLC

18 
19 Jeffrey W. Crockett, Esq.
20 40 N. Center Street, Suite 106
21 Mesa, Arizona 85201
Attorney for Voyager at White Mountain Lakes
Water Company, Inc.

22 ORIGINAL filed with Docket Control via
23 e-File this 25th day of August, 2025.

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25
26
27
28 ¹ Decision 79063, Conclusion of Law 5 at page 9.

² Decision 79063 at page 9, lines 1-4.

1 COPY of the foregoing e-mailed this
2 25th day of August, 2025, to:

3 Tom Van Flein, Director-Legal Division
4 ARIZONA CORPORATION COMMISSION
5 1200 W. Washington Street
6 Phoenix, Arizona 85007
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