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BEFORE THE ARIZONA RECEIVED CORPORATION COMMISSION

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2 COMMISSIONERS
3 MARC SPITZER - Chairman
4 WILLIAM A. MUNDELL
5 JEFF HATCH-MILLER
6 MIKE GLEASON
7 KRISTIN K. MAYES

2004 APR 15 P 2:46

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

APR 15 2004

DOCKETED BY

8 IN THE MATTER OF THE APPLICATION OF
9 RANCHO CABRILLO WATER COMPANY
10 FOR A CERTIFICATE OF CONVENIENCE
11 AND NECESSITY TO PROVIDE WATER
12 SERVICE.

DOCKET NO. W-03898A-00-0474

13 IN THE MATTER OF THE APPLICATION OF
14 RANCHO CABRILLO SEWER COMPANY
15 FOR A CERTIFICATE OF CONVENIENCE
16 AND NECESSITY TO PROVIDE
17 WASTEWATER SERVICE

DOCKET NO. SW-03898A-00-0789

**REPLY TO STAFF'S RESPONSE TO
REQUEST TO EXTEND DEADLINES
AND SUPPLEMENTAL
INFORMATION FILING**

18 Rancho Cabrillo Water and Sewer Companies have filed a request for an
19 extension for an additional year of the deadlines for filing copies of its Approvals to Construct
20 and Certificate of Assured Water Supply.

21 Staff responded essentially stating that since there is an application pending to
22 transfer Rancho Cabrillo's CC&Ns to Arizona-American Water Company, that staff should not
23 extend the existing Rancho Cabrillo CC&Ns, but should instead proceed with the analysis of the
24 application to transfer the CC&Ns to Arizona-American.

25 Of course if the applications to transfer the CC&Ns to Arizona-American are
26 approved, then the request is moot. However, if the application is denied, then Rancho Cabrillo
Water and Sewer Companies CC&N's will have terminated and the area will be without a
service provider. Rancho Cabrillo Water and Sewer Company fully intend to serve the area in
the event Arizona American is not granted the transfer of the CC&Ns, and, therefore, its request
for an extension of time should be granted.

1 Since their CC&N's were granted, Rancho Cabrillo Water and Sewer Companies
2 have been diligently processing their approvals and have invested considerable resources in order
3 to obtain those approvals and Certificate of Assured Water Supply, and those approvals
4 perquisite to obtaining Approvals to Construct and the Certificate of Assured Water Supply.

5 Rancho Cabrillo contracted in March of 2002 with WLB Group, Inc. civil
6 engineers to design the water distribution system and sewer collection system. Approximately
7 \$150,000 has been invested to date on water and sewer designs and construction drawings.

8 Rancho Cabrillo has applied for, and been accepted into, the Central Arizona
9 Groundwater Replenishment District. Attached as Exhibit A is a letter from the Central Arizona
10 Project confirming the grant to Rancho Cabrillo of membership in the Central Arizona
11 Groundwater Replenishment District.

12 The application for Certificate of Assured Water Supply has been fully processed
13 and is in the publication stage. The Arizona Department of Water Resources' staff has presented
14 no objection to the application. The application for Certificate of Assured Water Supply was
15 processed premised upon Rancho Cabrillo's and Arizona-American's agreement to transfer the
16 CC&Ns. Final approval of the Certificate of Assured Water Supply cannot be obtained until
17 approval of the transfer of the CC&N is obtained, or it is denied and the application amended and
18 republished for issuance premised upon Rancho Cabrillo Water and Sewer Companies' provision
19 of service.
20

21 Construction drawings were submitted to Maricopa County Environmental
22 Services for Approval to Construct water and sewer systems on January 27, 2004 and February
23 12, 2004 (MCESD file numbers 041102, 041101, and 041287). Review is underway and the
24 Approvals to Construct are anticipated approximately May 15, 2004.

25 Proposed final plats and improvement plans for 708 lots in four subdivisions have
26 been submitted to for review to Maricopa County. Review is underway and the final plats are

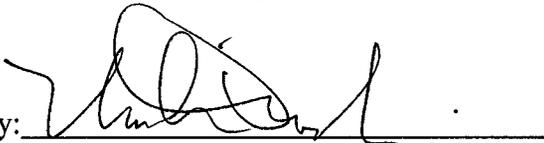
1 planned to be submitted to the Board of Supervisors on their July 7, 2004 agenda for approval.

2 Approximately \$900,000 has been invested to date on engineering.

3 The foregoing work has been designed and processed based upon Rancho
4 Cabrillo's and Arizona-Americans's Agreement to transfer the CC&Ns to Arizona American. If
5 approval of the transfer of the CC&N's is denied by the Arizona Corporation Commission, much
6 of the foregoing work will need to be reengineered and significantly different infrastructure will
7 have to be constructed, thus necessitating the need for an additional twelve months with a
8 deadline to file the Approvals to Construct and Certificate of Assured Water Supply.

9 If any additional information is desired by Staff to evaluate the foregoing, Rancho
10 Cabrillo Water and Sewer Companies would be most willing to provide it.

11 RESPECTFULLY SUBMITTED this 15th day of April, 2004.

12
13
14 By: 

15 Mark Dioguardi, Esq.
16 TIFFANY & BOSCO, P.A.
17 2525 E. Camelback Rd., 3rd Fl.
18 Phoenix, Arizona 85016
19 Attorney for Rancho Cabrillo Water Company
20 and Rancho Cabrillo Sewer Company

21 The ORIGINAL and 13 copies of
22 the foregoing were filed this 15th
23 day of April, 2004, with:

24 Docket Control
25 Arizona Corporation Commission
26 1200 W. Washington St.
Phoenix, AZ 85007

COPIES of the foregoing were mailed
this 15th day of April, 2004, to:

Lisa A. VandenBerg
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

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CENTRAL ARIZONA PROJECT

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October 20, 2003

Mr. Nathan Miller
Southwest Ground-water Consultants, Inc.
3900 East Camelback Rd., Suite 200
Phoenix, Arizona 85018

Dear Mr. Prior:

This letter is to advise you that the recording process has been completed for Rancho Cabrillo - Parcels A, B, D & F. It is now a member land of the Central Arizona Groundwater Replenishment District.

Enclosed for your files is an original of the fully executed Declaration of Covenants, Conditions and Restrictions for Rancho Cabrillo - Parcels A, B, D & F Regarding Membership in the Central Arizona Groundwater Replenishment District, and the Agreement and Notice of Municipal Provider Reporting Requirements.

Sincerely,

Clifford A. Neal, Manager
Groundwater Replenishment District

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Enclosures

cc (w/enci): Arizona-American Water Company

*Recorded Doc
#s
2003-1327558*

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EXHIBIT A