

ORIGINAL  
INTERVENTION



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Arizona Corporation Commission  
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OCT 19 2004

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BEFORE THE ARIZONA CORPORATION COMMISSION

7 IN THE MATTER OF THE APPLICATION OF ) DOCKET NO. W-04264A-04-0438  
8 WOODRUFF WATER COMPANY FOR A )  
9 NEW WATER CERTIFICATE OF ) APPLICATION TO INTERVENE  
CONVENIENCE AND NECESSITY )

10 Arizona Water Company, an Arizona corporation ("AWC"), pursuant to  
11 A.A.C.R. 14-3-105, moves to intervene in the above-captioned matter. This Application  
12 is based upon the following:

13 1. AWC presently holds Certificates of Convenience and Necessity  
14 ("CC&N") issued to it by the Arizona Corporation Commission (the "Commission") in  
15 various Decisions for the purpose of providing water service in the Casa Grande and  
16 Coolidge areas in Pinal County. The Company currently provides water service to  
17 approximately 19,400 customers in its Casa Grande and Coolidge systems and has an  
18 investment of approximately \$23 million in utility plant in these systems.

19 2. AWC has extensive water distribution facilities located near the area for  
20 which Woodruff Water Company ("Woodruff") seeks a new CC&N to serve the Sandia  
21 master-planned community ("Sandia"). Sandia is located directly between AWC's  
22 Casa Grande and Coolidge systems. The investment that AWC has made, as noted in  
23 paragraph 1, above, was made and the utility plant facilities were designed with the  
24 expectation of providing water service to the area requested by Woodruff.

25 3. AWC has filed, contemporaneously with this Application to Intervene, an  
26 application to expand its Casa Grande and Coolidge CC&Ns to include areas that  
27 include the area for which Woodruff seeks a new CC&N.

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1           4.     Public policy favors AWC's Application to Intervene and serve the area in  
2 question. Some of the reasons supporting AWC's request to serve are:

3           a.     AWC has longstanding plans to extend water service to the expansion  
4 areas and, as a result of such planning and the existence of its  
5 adjacent water systems in Coolidge and Casa Grande, AWC can offer  
6 more reliable water service, lower cost of water facilities, and lower  
7 water rates than Woodruff, which does not have an existing water  
8 system.

9  
10          b.     AWC's longstanding plans include the interconnection of its Casa  
11 Grande and Coolidge water systems, and the construction of a single  
12 water treatment plant to treat its Casa Grande and Coolidge Central  
13 Arizona Project water allocations and thereby supplement its Casa  
14 Grande and Coolidge water supplies. AWC's proposed construction of  
15 a treatment plant has been supported by the Mayors and City Councils  
16 of Casa Grande and Coolidge.

17  
18          c.     The Commission's "Proposed Policy for Water Certificates of  
19 Convenience and Necessity" states the Commission's goal of  
20 eliminating the proliferation of non-viable water systems. That policy  
21 would require an applicant for a CC&N which is not an existing water  
22 utility to demonstrate "necessity" by showing that existing Class A  
23 water utilities as well as all water utilities serving within five (5) miles of  
24 applicant's requested area have refused to serve applicant's requested  
25 area. (Proposed Policy for Water Certificates of Convenience and  
26 Necessity, [www.cc.state.az.us/working/wt-attachA.htm](http://www.cc.state.az.us/working/wt-attachA.htm) (visited October  
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12, 2004)). AWC is a Class A water utility, its Casa Grande and Coolidge service areas are within five (5) miles of Woodruff's requested area, and it has not refused to provide public utility water service to Sandia. In fact, AWC is ready, willing and able to serve Sandia.

4. AWC is directly and substantially affected by this proceeding. Granting this intervention will not unduly broaden the issues presented by the Application and, therefore, AWC is entitled to intervention pursuant to A.A.C.R. 14-3-105.

WHEREFORE, Arizona Water Company respectfully requests that it be granted intervention in the above-referenced matter.

Please provide copies of all pleadings and address all communications with regard to this matter to:

Robert W. Geake  
Vice President and General Counsel  
Arizona Water Company  
P.O. Box 29006  
Phoenix, AZ 85038-9006

RESPECTFULLY SUBMITTED this 19th day of October 2004.

ARIZONA WATER COMPANY

By: Robert W. Geake  
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and

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1 Original and thirteen (13) copies of the  
2 foregoing filed this 19th day of  
3 October 2004 with:

3 Docket Control Division  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
6 Phoenix, AZ 85007

6 A copy of the foregoing was mailed this  
7 19th day of October 2004 to:

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13 Honorable Marc Stern, Administrative Law Judge  
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