

INTERVENTION
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2004 DEC 16 P 4: 37

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Arizona Corporation Commission

DOCKETED

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IN THE MATTER OF THE APPLICLATION OF
WOODRUFF WATER COMPANY, INC. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER SERVICES
IN PINAL COUNTY, ARIZONA.

) DOCKET NO. W-04264A-04-0438

IN THE MATTER OF THE APPLICATION OF
WOODRUFF UTILITY COMPANY, INC. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE SEWER SERVICE IN
PINAL COUNTY, ARIZONA.

) DOCKET NO. SW-04265A-04-0439

IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY, AN ARIZONA
CORPORATION, TO EXTEND ITS EXISTING
CERTIFICATES OF CONVENIENCE AND
NECESSITY AT CASA GRANDE AND
COOLIDGE, PINAL COUNTY, ARIZONA.

) DOCKET NO. W-01445A-04-0755

**MOTION TO INTERVENE BY
PULTE HOME CORPORATION**

and

**REQUEST FOR EXPEDITED
CONSIDERATION OF
UNCONTESTED EXTENSION
AREA**

Pulte Home Corporation ("Pulte"), through undersigned counsel and pursuant to A.A.C. R14-3-105, hereby moves to intervene in the above captioned dockets.

In addition, Pulte requests that the Arizona Corporation Commission ("Commission") conduct an expedited hearing on that portion of Arizona Water Company's application (Docket No. W-01445A-04-0755) seeking the authority to provide water service to a proposed master planned community to be commonly known as "Martin Valley" (the "Martin Valley Development"). No one contests Arizona Water Company's serving the Martin Valley

1 Development. The Martin Valley Development is not within the area sought to be served by
2 Woodruff Utility Company in its applications.

3 In support of this motion to intervene and request for expedited consideration, Pulte states
4 as follows:

5 1. Pursuant to an agreement between Pulte, as the buyer, and Marcus David Martin
6 ("Martin"), as the seller, Pulte has the exclusive right and option to acquire the real property
7 comprising the Martin Valley Development, which consists of a 565.5 acre parcel of land located
8 in Pinal County. Pulte intends to acquire and develop the real property comprising the Martin
9 Valley Development as a master planned community (consisting of single-family, residential
10 homes and other uses). Pulte has formally requested that Arizona Water Company extend its
11 certificate of convenience and necessity to be able to provide water service to the Martin Valley
12 Development. A copy of Pulte's request is attached as Exhibit 1 to Arizona Water Company's
13 application in Docket No. W-01445A-04-0755 and is incorporated herein by this reference.

14 2. Pulte will be directly and substantially affected by the issues addressed in these
15 dockets.

16 3. Pulte's participation in these dockets will not unduly broaden the issues presented
17 herein.

18 4. The name, address and telephone of the persons upon whom service of all
19 documents is to be made is:

20 Raymond S. Heyman
21 Michael W. Patten
22 ROSHKA HEYMAN & DEWULF PLC
23 400 East Van Buren Street, Suite 800
24 Phoenix, Arizona 85004
25 phone: (602) 256-6100
26 fax: (602) 256-6800
27 email: heyman@rhd-law.com
mpatten@rhd-law.com

5. Woodruff Water Company has not requested a certificate of convenience and
necessity to provide water service to the Martin Valley Development.

ROSHKA HEYMAN & DEWULF, PLC
ONE ARIZONA CENTER
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1 6. Pulte is proceeding in its development of the Martin Valley Development and is
2 concerned that the contested portion of this proceeding may delay the grant of a CC&N to Arizona
3 Water Company to serve it when service will be necessary. Pulte currently anticipates that it will
4 require water service at Martin Valley Development on or about October of 2005.

5 7. Pulte requests that, upon a finding of sufficiency of the Arizona Water Company
6 application, a hearing is set for the earliest possible date, preferably in January of 2005.
7 Alternatively, if it appears that discovery or other matters may delay the resolution of the
8 contested portion of this proceeding, Pulte requests that this proceeding be bifurcated to allow the
9 uncontested portion of the Arizona Water Company's requested extension to proceed immediately.

10 WHEREFORE, Pulte requests that it be granted intervention in the above-captioned
11 proceeding and that the Commission expedite consideration of the portion of Arizona Water
12 Company's application to extend its certificate of convenience and necessity to the Martin Valley
13 Development.

14 RESPECTFULLY SUBMITTED this 16th day of December, 2004.

15 ROSHKA HEYMAN & DEWULF, PLC

16 By 
17 Raymond S. Heyman
18 Michael W. Patten
19 One Arizona Center
20 400 East Van Buren Street, Suite 800
21 Phoenix, Arizona 85004

20 Original and 17 copies of the foregoing
21 filed this 16th day of December 2004 with:

22 Docket Control
23 Arizona Corporation Commission
24 1200 West Washington Street
25 Phoenix, Arizona 85007

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1 Copy of the foregoing hand-delivered/mailed
2 this 16th day of December 2004 to:

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4 Administrative Law Judge
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6 Arizona Corporation Commission
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By Mary Joppolo