

ORIGINAL



0000019354

LAW OFFICES

FENNEMORE CRAIG

A PROFESSIONAL CORPORATION

PATRICK J. BLACK

Direct Phone: (602) 916-5400
Direct Fax: (602) 916-5600
pblack@fcilaw.com

OFFICES IN:
PHOENIX, TUCSON,
NOGALES, AZ; LINCOLN, NE

3003 NORTH CENTRAL AVENUE
SUITE 2600
PHOENIX, ARIZONA 85012-2913
PHONE: (602) 916-5000
FAX: (602) 916-5999

May 10, 2005

Arizona Corporation Commission
DOCKETED

MAY 10 2005

HAND DELIVERY

Ernest Johnson, Director
Utilities Division
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, Arizona 85007

DOCKETED BY	
-------------	--

Re: Johnson Utilities Company: Compliance with Decision No. 65840
Notice of Violation from ADEQ dated April 6, 2005
WS-02987A-99-0583; WS-02987A-00-0618; W-02234A-00-0371;
W-02859A-00-0774; W-01395A-00-0784

Dear Mr. Johnson:

Please accept this letter as a follow-up to my April 15, 2005, letter to you concerning the above-captioned matter. Enclosed please find the Arizona Department of Environmental Quality's ("ADEQ") Notice of Closure of its April 6, 2005, Notice of Violation ("NOV"). ADEQ closed the NOV based upon its determination that Johnson Utilities Company has met the *Documenting Compliance* provisions of the NOV.

Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your time and consideration in this matter.

Very truly yours,

Patrick J. Black

Enclosure

cc: Brian Tompsett, Johnson Utilities (w/out enc.)
Steve Olea, Assistant Director (w/enc.)
Brian Bozzo, Compliance Manager (w/enc.)
Docket Control (w/enc.)

1665143.1/51239.001

AZ CORP COMMISSION
DOCUMENT CONTROL

2005 MAY 10 A 11:20

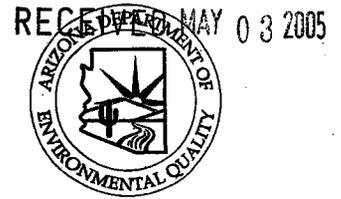
RECEIVED



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens
Director

April 28, 2005
Ref: #FS05-571

Case ID # 34537

Mr. Brian Tompsett, Vice President
Johnson Utilities Company
5230 East Shea Blvd.
Scottsdale, Arizona 85254

Subject: Closure of the April 6, 2005 Notice of Violation Regarding the Sewage Spill from the Bella Vista Liftstation

Dear Sir:

The Arizona Department of Environmental Quality (ADEQ) has closed the Notice of Violation (NOV) issued to the Johnson Utilities as the owner and operator of the Bella Vista Liftstation on April 6, 2005. ADEQ has closed the NOV based upon its determination that the Johnson Utilities has met the *Documenting Compliance* provisions of the NOV.

ADEQ will not proceed with further action at this time. However, if additional information regarding the alleged violations is discovered, or if further violations occur, ADEQ may reconsider its position and take additional action as appropriate and as allowed by law.

Thank you for your efforts to comply with the Arizona's environmental requirements. Should you have any comments or questions regarding this matter, please do not hesitate to contact me at 602 771 4841.

Sincerely,

Romann G. Diaz, Manager
Water Quality Field Services Unit

cc: Pinal County Health Department
Vivian Burns, Program and Project Specialist

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733



ARIZONA DEPARTMENT OF ENVIRO
1110 West Washington Street
Phoenix, Arizona 85007-2952

MC5415B-1

CERTIFIED MAIL



7001 2510 0003 7217 0640



HASLER PAPER T/M/C \$4.42
MAY 02 2005
US POSTAGE
FIRST CLASS
-MAILED FROM 85007
011A0413002370

JOHNSON UTILITIES COMPANY
ATTN:MR. BRIAN TOMPSETT, VICE PRESIDENT
5230 EAST SHEA BLVD.
SCOTTSDALE,AZ 85254

