

ORIGINAL
INTERVENTION



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AZ CORP COMMISSION
DOCUMENT CONTROL

8 Attorneys for Sierra Negra Ranch, LLC

BEFORE THE ARIZONA CORPORATION COMMISSION

9 In the Matter of the Application for
10 Extension of Water Utility of Greater
11 Tonopah, Inc., an Arizona Corporation, for
12 an Extension of Its Certificate of
13 Convenience and Necessity to Encompass
14 All or Portions of Sections 15, 17 and 22,
15 T2N, R5W, G&SRB&M, Maricopa County,
16 Arizona (a/k/a The Hassayampa Ranch
17 Development)

Docket No. WS-02450A-04-837

**SIERRA NEGRA RANCH, LLC'S
APPLICATION TO INTERVENE**

18 Sierra Negra Ranch, LLC, a Nevada limited liability company, (referred to herein
19 as "Sierra Negra Ranch"), through its undersigned counsel, and pursuant to Arizona
20 Administrative Code sections R14-3-105(B) and R14-3-101(B), hereby applies to
21 intervene in matters W-02450A-05-0430 and WS-02450A-04-837.¹

22 In support of this Application, Sierra Negra Ranch states as follows:

23 1. Sierra Negra Ranch owns land included within the Water Utility of
24 Greater Tonopah, Inc.'s ("Greater Tonopah's") current Certificate of Convenience and
25 Necessity ("CC&N") in Sections 6 and 7, Township 1 North, Range 6 West, and in
26 Sections 21, 28, 29, 32, and 33 in Township 2 North, Range 6 West, Gila and Salt River
Base and Meridian, Maricopa County, Arizona. *See Map, attached as Exhibit A.*

¹ This application was originally presented to Docket Control and served on the parties on September 30, 2005. Docket Control requested the two case headings be separated, so the first page of the application was amended and separate applications are hereby re-submitted.

1 2. Sierra Negra Ranch owns all of Section 31, Township 2 North, Range 6
2 West, an area for many years reflected in the Commission's records as included within
3 the CC&N of the West Phoenix Water Company, a defunct company. *See Exhibit A.*
4 Section 31 is the majority of the land addressed in docket number WS-02450A-05-430.
5 Greater Tonopah has neither facilities nor customers within Section 31, and Sierra
6 Negra Ranch has not requested water or wastewater service from Greater Tonopah.

7 3. Sierra Negra Ranch is concerned by current reports on file in the above-
8 referenced matters between Greater Tonopah and Commission Staff regarding Greater
9 Tonopah's technical and financial capability to serve substantial future development
10 within the Sierra Negra Ranch and surrounding areas with an integrated water and
11 wastewater system.

12 4. In docket number W-02450A-04-0837 (Hassayampa Ranch CC&N
13 extension request), Commission Staff reviewed seven of Greater Tonopah's individual
14 water systems, and concluded that only one of the systems has adequate production and
15 storage capacity to serve existing customers. *See Staff Report in Docket No. W-02450A-*
16 *04-0837, Executive Summary.*

17 5. In both of the above-referenced cases, Staff recommend several conditions
18 be imposed upon Greater Tonopah before the requested CC&N extension will be
19 granted, each of which may strain the resources of a small company, especially while
20 the company struggles to provide arsenic treatment before the January 2006 deadline.

21 6. Further, it appears in docket number WS-02450A-04-837, that a separate
22 company is expected by Greater Tonopah to provide wastewater service to the
23 Hassayampa Ranch development.

24 7. The Sierra Negra Ranch property will likely be developed in the next few
25 years into a master-planned residential community, and will require an integrated water
26 and wastewater operation and management system to effectively and efficiently provide
water, gray water, reclaimed water, and possibly underground water storage and

1 withdrawal services to future residents. In accordance with Clean Water Act section
2 208 requirements, wastewater service will likely be provided by a regional wastewater
3 service provider that will serve the Sierra Negra Ranch and surrounding properties.

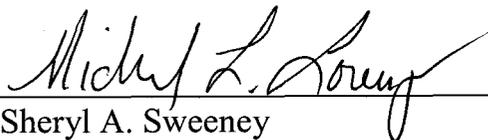
4 8. The reasons cited above provide good cause for Sierra Negra Ranch's
5 appearance in both of these matters, and Sierra Negra Ranch's presence and testimony
6 will not unduly broaden the issues to be considered by the Commission.

7 For these reasons, Sierra Negra Ranch, LLC has substantial interest in both of the
8 above-referenced matters, and hereby applies to intervene in both matters.

9 RESPECTFULLY REQUESTED this 30th day of September, 2005.

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I hereby certify that I have this
3rd day of October 2005,
served the foregoing document on
all parties of record in these
proceedings by hand delivering an
original and thirteen copies to:
Docket Control
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

1 I hereby certify that I have this
2 3rd day of October 2005, served the
3 foregoing document on all parties
4 of record in these proceedings by
5 hand delivering a copy to:

6 Marc Stern, Administrative Law Judge
7 Hearing Division
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By Michael L. Lorenz

Exhibit A

Tonopah

Marketing Information

- Active Subdivisions
- Master Planned Communities

Land Use Information

- Low Density Residential
- Medium to High Density Residential
- High Density Residential
- Retail and Commercial
- Industrial and Employment
- Parks and Open Space
- State Land
- Federal Land
- Distance from Palo Verde Railroad
- Existing Paved Road
- Proposed Highway
- Existing Highway

