

# INTERVENTION



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7

## BEFORE THE ARIZONA CORPORATION COMMISSION

9 In the Matter of the Application of Water  
10 Utility of Greater Tonopah, Inc. for  
11 Approval to Transfer the CC&N from West  
12 Phoenix Water Company to Water Utility of  
13 Greater Tonopah, Inc.

Docket No. W-02450A-05-0430

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

13 Sierra Negra Ranch, LLC, a Nevada limited liability company, (referred to herein  
14 as "Sierra Negra Ranch"), through its undersigned counsel, and pursuant to Arizona  
15 Administrative Code sections R14-3-105(B) and R14-3-101(B), hereby applies to  
16 intervene in matters W-02450A-05-0430 and WS-02450A-04-837.<sup>1</sup>

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

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

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26 <sup>1</sup> 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.

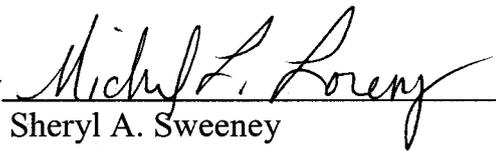
9 RESPECTFULLY REQUESTED this 30<sup>th</sup> day of September, 2005.

10 RYLEY CARLOCK & APPLEWHITE

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I hereby certify that I have this  
3<sup>rd</sup> 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  
of record in these proceedings by  
hand delivering a copy to:

4 Marc Stern, Administrative Law Judge  
5 Hearing Division  
6 Arizona Corporation Commission  
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13 Ernest Johnson, Director  
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19  
20 By Michael L. Lounsbury

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# **Exhibit A**



**COMMERCE**  
REALTY ADVISORS LIMITED  
(480) 889 - 9900

**POWER BROKER**  
2004 SALES TRANSACTIONS  
GROUP ARIZONA TOP 10

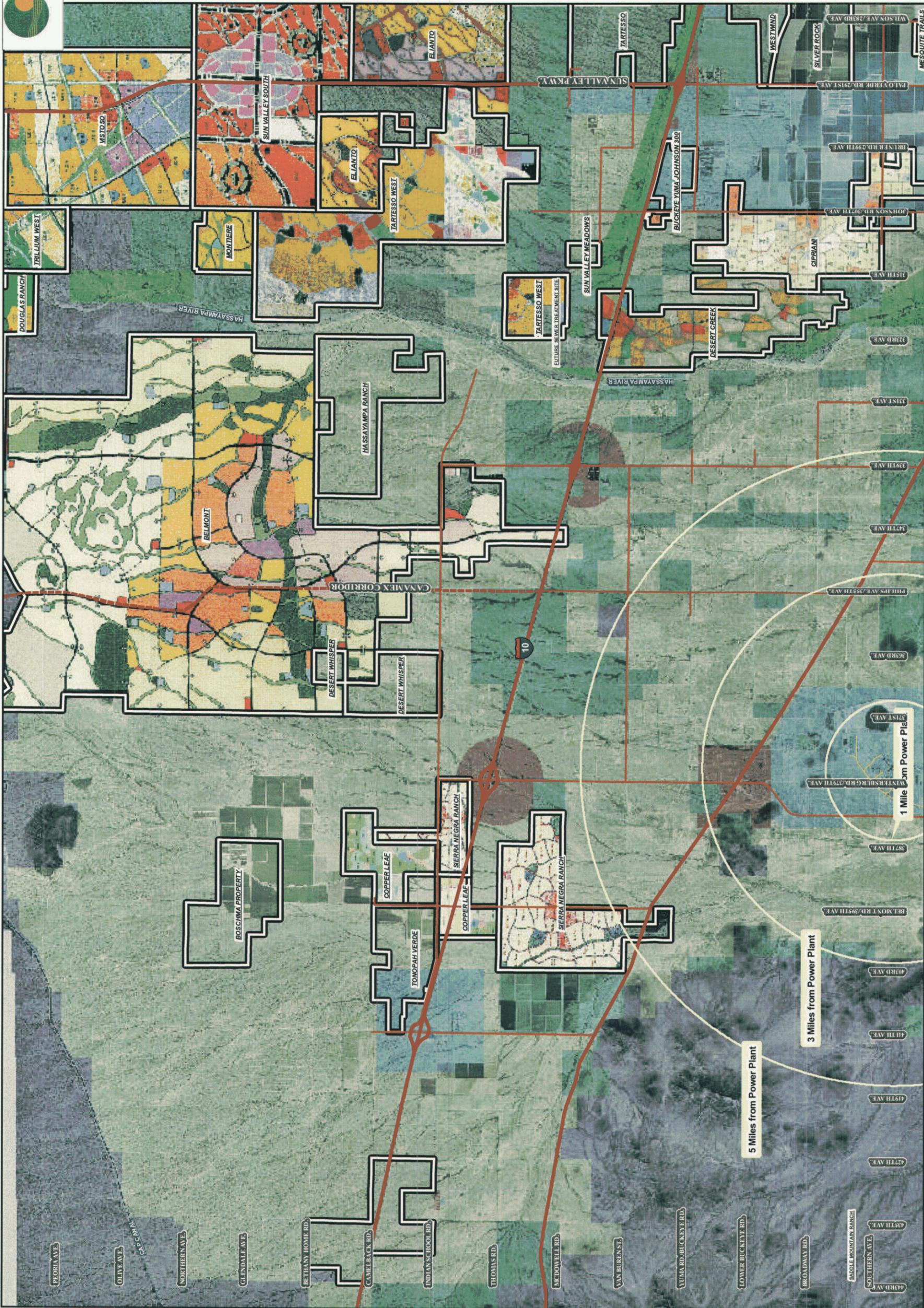
# Tonopah

## 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



Revised: 9/30/2005  
 Revised by: LM  
 Aerial photography: Aerials Express, 2004