

ORIGINAL



COMMISSIONERS
JEFF HATCH-MILLER- Chairman
WILLIAM MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES



06D

ARIZONA CORPORATION COMMISSION

November 2, 2005

RECEIVED
2005 NOV -2 P 12:49
AZ CORP COMMISSION
DOCUMENT CONTROL

Mr. Daniel Hodges
Johnson Utilities, L.L.C.
5230 East Shea Boulevard
Scottsdale, Arizona 85254

RE: Johnson Utilities L.L.C. – Application to extend a Certificate of Convenience and Necessity. Docket No. WS-02987A-05-0695.

INSUFFICIENCY LETTER

Dear Mr. Hodges:

The application of Johnson Utilities L.L.C. to extend its a Certificate of Convenience and Necessity (“CC&N”), Docket No. WS-02987A-05-0695, has not met the sufficiency requirements as outlined in the Arizona Administrative Code (“A.A.C.”).

To correct the deficiencies, please provide the following information:

1. Please provide a copy of the approved Council of Governments §208 plan, and any subsequent amendments to the §208 plan, and any proposed amendments to the §208 plan for the proposed wastewater certificated area.
2. If the information is not contained in the §208 plans, please submit a master wastewater design report which clarifies how wastewater service will be provided to the proposed CC&N area.

The report should identify the location of existing and future wastewater treatment plants and major wastewater interceptors. It should also provide the capacities of existing and future wastewater treatment plants, any existing service base, and describe how the wastewater will be transported to the wastewater facility from the proposed CC&N.

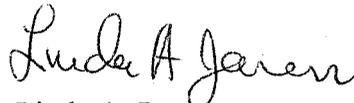
Please include any other information which will allow the Commission to analyze and conclude that the company has sufficient wastewater treatment capacity, or can develop enough treatment capacity to service the existing and future demands from the proposed CC&N.

3. Please provide a copy of the Arizona Department of Environmental Quality's "Aquifer Protection Permit" for the wastewater treatment plant. If that permit has not been issued, please inform the Commission of the status of the application for that permit.
4. Please identify any wells listed in the water use data sheet of the application that exceed the new 10 microgram per liter (" $\mu\text{g/l}$ ") arsenic standard. If no wells exceed the limit, then indicate this. If any wells exceed the limit, please explain how the Company plans to treat the water to meet the new standard.

Pursuant to A.A.C. R14-2-411(C)(3), Staff may terminate an application if the applicant does not remedy all deficiencies within 60 calendar days of the notice of deficiency. Pursuant to the A.A.C. R14-2-411(C) for water and R14-2-610(C) for wastewater, the Commission has 150 calendar days to approve or reject this application after it is deemed sufficient. This time period would encompass a hearing, a Recommended Opinion and Order and a Decision from the Commission.

If you have any questions concerning this matter, please do not hesitate to contact me at 602-542-0859 or John Chelus at 602-542-7273.

Yours truly,



Linda A. Jaress
Executive Consultant III

LAJ:red

cc: Docket Control
Del Smith
Lyn Farmer
Brian Bozzo