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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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2005 DEC 29 P 4: 41

AZ CORP COMMISSION
DOCUMENT CONTROL

7
8 IN THE MATTER OF THE APPLICATION OF
9 PALO VERDE UTILITIES COMPANY FOR AN
EXTENSION OF ITS EXISTING CERTIFICATE
OF CONVENIENCE AND NECESSITY.

Docket No. SW-03575A-04-0767

10
11 IN THE MATTER OF THE APPLICATION OF
12 SANTA CRUZ WATER COMPANY FOR AN
EXTENSION OF ITS EXISTING CERTIFICATE
OF CONVENIENCE AND NECESSITY.

Docket No. W-03576A-04-0767

13
14 **MOTION TO EXTEND TIME TO
FILE APPROVALS TO CONSTRUCT**

15 Santa Cruz Water Company (Santa Cruz) and Palo Verde Utilities Company (Palo
16 Verde)(collectively, Applicants) move that the Commission grant a six month extension of time to
17 file Approvals to Construct (ATC) for the Neely Well Production/Treatment Plant. In support of
18 this motion, the Applicants state:

19 **I. BACKGROUND.**

20 The Commission recently extended the Applicants' CC&Ns in Decision No. 67830 (May
21 5, 2005)(*Extension Order*). The *Extension Order* noted that in addition to its existing production
22 wells, Santa Cruz was in the process of reconstructing three additional wells known as Neely
23 West, Neely East, and Neely North. (*Extension Order* at 6). These three well were expected to
24 have an aggregate additional capacity of 6,000 GPM. (*Id.*) As is customary, the extension was
25 conditioned on the Applicants complying with various requirements. One of these requirements
26 was that Santa Cruz file "a copy of the ADEQ Approval to Construct for the Neely Well
27 Production/Treatment Plant by December 31, 2005." (*Extension Order* at 10).

1 **II. REASONS FOR EXTENSION.**

2 Despite diligent efforts, Santa Cruz is not able to meet this deadline. Santa Cruz obtained
3 an Approval to Construct (ATC) for the Neely West Well. A copy of this ATC is attached as
4 Exhibit A. Santa Cruz continues to diligently pursue reconstruction of the Neely East and Neely
5 North wells. In order to request ATCs for the remaining wells, Santa Cruz must provide final
6 engineering plans. In order to complete the final engineering plans for the remaining wells, Santa
7 Cruz must complete certain additional steps. The remaining steps for each well are described
8 below.

9 For the Neely East well, additional analysis of the structural integrity of the well casing
10 was necessary. Based on this analysis, Santa Cruz determined that the best practice would be to
11 re-sleeve the well. Re-sleeving the well requires submitting an application for modification of a
12 well to ADWR. Santa Cruz submitted this application to ADWR. Once ADWR approves the
13 modification of the well, the engineering plans can be finalized, and Neely East's ATC
14 application can be submitted to ADEQ.

15 For the Neely North well, completing the engineering plans requires information
16 concerning the final grading of the area. This grading information can only be obtained once the
17 design for the re-alignment of the Fuqua Wash is completed. The Fuqua Wash project is being
18 conducted by an unaffiliated entity. Thus, Santa Cruz has no control over the timing of the
19 completion of the Fuqua Wash design. Santa Cruz expects to have the final grading information
20 shortly, and expects that it will be able to submit Neely North's ATC application in January 2006.

21 In addition to the Neely wells, the *Extension Order* noted that Santa Cruz was evaluating
22 four additional wells (two Glennwilde wells and two Ranch Mirage wells). (*Extension Order* at 6)
23 The *Extension Order* requires Santa Cruz to file ATCs for these wells by June 30, 2008. Santa
24 Cruz has already submitted an application for New Source Approval to ADEQ for this one of these
25 wells (well number 55-624037).

26 Santa Cruz will at all times comply with the new federal arsenic MCL. Further, Santa Cruz
27 will at all times have sufficient capacity to serve existing and new customers.

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1 Original + 15 copies of the foregoing
filed this 29th day of December 2005, with:

2 Docket Control
3 ARIZONA CORPORATION COMMISSION
1200 West Washington
4 Phoenix, Arizona 85007

5 Copies of the foregoing hand-delivered/mailed
this 29th day of December 2005, to:

6 Dwight Nodes, Esq.
7 Administrative Law Judge
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8 Arizona Corporation Commission
1200 West Washington
9 Phoenix, Arizona 85007

10 David Ronald, Esq.
Legal Division
11 Arizona Corporation Commission
1200 West Washington
12 Phoenix, Arizona 85007

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Utilities Division
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16
17 By Mary Appolito
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27

EXHIBIT

"A"



**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
 CERTIFICATE OF APPROVAL TO CONSTRUCT
 DRINKING WATER WELL FACILITIES**

ADEQ File No: 20050467	LTF No: 36576
System Name: Santa Cruz Wtr	System Number: 11131
Project Owner: Santa Cruz Wtr Co	
Address: 22601 N. 19th Ave., #210, Phoenix , AZ 85027	
Project Location: Gilbert	County : Pinal
Description: 1. CONVERTING EXISTING AGRICULTURAL NEELY WEST WELL WITH ADWR #55-621407 TO DOMESTIC USE WITH CAPACITY OF 1,980 GPM; AND 2. BLENDING PLAN OF MAY, 2005 TO BLEND WATERS OF NEELY WEST WELL AND PREVIOUSLY APPROVED SMITH AND VANCE WELLS.	

Approval to construct the above-described facilities as represented in the approved documents on file with the Arizona Department of Environmental Quality is hereby given subject to provisions 1 through 5 continued on page 2 through 2

1. This project must be constructed in accordance with all applicable laws, including Title 49, Chapter 2, Article 9 of the Arizona Revised Statutes and Title 18, Chapter 5, Article 5 of the Arizona Administrative Code.
2. Upon completion of construction, the engineer shall fill out the Engineer's Certificate of Completion and forward it to the Central Regional office located in Phoenix. If all requirements have been completed, that unit will issue a Certificate of Approval of Construction. R18-5-507(B), Ariz. Admin.Code. At the project owner's request, the Department may conduct the final inspection required pursuant to R18-5-507(B); such a request must be made in writing in accordance with the time requirements of R18-5-507(C), Ariz. Admin. Code.
3. This certificate will be void if construction has not started within one year after the Certificate of Approval to Construct is issued, there is a halt in construction of more than one year, or construction is not completed within three years of the approval date. Upon receipt of a written request for an extension of time, the Department may grant an extension of time; an extension of time must be in writing. R18-5-505(E), Ariz. Admin. Code.
4. Operation of a newly constructed facility shall not begin until a Certificate of Approval of Construction has been issued by the Department. R18-5-507(A), Ariz. Admin. Code.

Reviewed by: *jd1*

By: *Kwame Agyare* *7/20/05*
 Kwame A. Agyare., P.E. Date
 Manager, Drinking Water and
 Wastewater Engineering Review
 Water Quality Division

cc: File No : 20050467
 Regional Office: Central
 Owner: Santa Cruz Wtr Co
 County Health Department: Pinal
 Engineer: David Evans & Associates
 Planning and Zoning/Az Corp. Commission
 Engineering Review Database - Etr022

**CERTIFICATE OF APPROVAL TO CONSTRUCT
WATER FACILITIES**

ADEQ File No. 20050467

Page 2 of 2 : Provisions, continued

5. ADEQ approval for a revised blending plan shall be obtained if sources or pumping rates change, pursuant to Arizona Administrative Code (A.A.C.) R18-4-221.B.