

ORIGINAL



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OPEN MEETING AGENDA ITEM  
**INTERVENTION**

BEFORE THE ARIZONA CORPORATION COMMISSION

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

2006 FEB -9 P 4: 39  
AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF )	DOCKET NO. W-01445A-05-0469
ARIZONA WATER COMPANY FOR AN )	
EXTENSION OF ITS EXISTING CERTIFICATE )	<b>GLOBAL'S MOTION TO</b>
OF CONVENIENCE AND NECESSITY )	<b>INTERVENE</b>
)	
)	

Palo Verde Utilities Company ("Palo Verde") and Santa Cruz Water Company ("Santa Cruz")(collectively "Global") respectfully submit this Motion to Intervene. Although this Motion is after the deadline to file for intervention, Global respectfully requests that it be granted intervention for the reasons described below. Global is concurrently filing Exceptions to the Recommended Opinion and Order ("ROO") in this matter.

**I. DESCRIPTION OF GLOBAL'S INTEREST.**

Global operates an extensive and fast growing water and wastewater system in Pinal County. Global is ultimately owned by Global Water Resources, LLC ("GWR"). Global also emphasizes the need for close and cooperative relationships with the cities in which it operates. GWR has entered into a Public Private Partnership (P3) with the Cities of Maricopa and Casa Grande to promote cooperation, joint planning and the sensible regional management of growth and precious water resources.

GWR's P3 with the City of Casa Grande ("City") establishes a Global Planning Area. Under the P3, the City desires that Global provide service to the Global Planning Area, and the City supports extensions of Global's Certificates of Convenience and Necessity ("CC&Ns") within the Global Planning Area.

1 The Application of Arizona Water Company (“AWC”) in this docket includes areas within  
2 the Global Planning Area established by the P3 between the City and GWR. In particular, Global  
3 is concerned about the area identified as “Parcel 1” in the ROO. The ROO recommends granting  
4 this area to AWC.

5 Global received a request for service that includes part of Parcel 1 (as well as areas outside  
6 Parcel 1) from Jorde Hacienda, Inc. (“Jorde”). Specifically, the part within Parcel 1 is the west ½  
7 of Section 12, Township 7 South, Range 4 East, Pinal County. This portion of Parcel 1  
8 (approximately 640 acres) is included in a CC&N application filed by Global that is currently  
9 pending before the Commission in Docket No. SW-03575A-05-0926 and W-03576A-05-0926. A  
10 copy of the Request for service from Jorde is attached as Exhibit A.<sup>1</sup>

11 Granting AWC a CC&N for Parcel 1 will prejudice Global’s pending CC&N application.  
12 It will also impair the rights of GWR and Global under the MOU with the City. Moreover, it  
13 would impair the rights of Global under the agreement with Jorde. Accordingly, Global will be  
14 directly and substantially affected by the proceedings.

15 **II. LATE INTERVENTION IS APPROPRIATE HERE.**

16 Global apologizes for this late motion to intervene. This motion is appropriate because  
17 Global only just learned of this matter. Global and GWR did not receive notice of this matter.  
18 This motion is being submitted as soon as possible after Global learned of this situation.

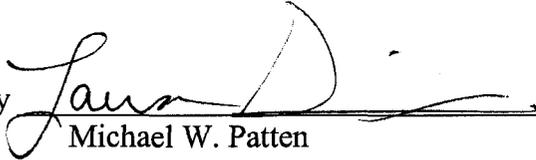
19 **III. CONCLUSION.**

20 Global respectfully request that it be granted intervention in this matter under A.A.C. R14-  
21 3-105.

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27 <sup>1</sup> As shown on the legal description attached to Exhibit A, Jorde does not own a small  
portion of the western ½ of Section 12.

1 RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of February 2006

2 ROSHKA DEWULF & PATTEN, PLC

3  
4 By 

5 Michael W. Patten  
6 One Arizona Center  
7 400 East Van Buren Street, Suite 800  
8 Phoenix, Arizona 85004

8 Original and 13 copies of the foregoing  
9 filed this 9<sup>th</sup> day of February 2006 with:

10 Docket Control  
11 Arizona Corporation Commission  
12 1200 West Washington Street  
13 Phoenix, Arizona 85007

14 Copy of the foregoing hand-delivered/mailed  
15 this 9<sup>th</sup> day of February 2006 to:

16 Thomas H. Campbell  
17 Michael T. Hallam  
18 Lewis & Roca  
19 40 North Central Avenue  
20 Phoenix, Arizona 85004

21 Robert W. Geake  
22 Arizona Water company  
23 P. O. Box 29006  
24 Phoenix, Arizona 85038-9006

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27 P. O. Box 15005  
Casa Grande, Arizona 85230

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# **EXHIBIT**

**"A"**

Ms. Cindy Liles  
Palo Verde Utilities Company, LLC  
22601 N. 19th Ave., Ste. 210  
Phoenix, AZ 85027

Re: Water and Sewer CC&N Expansion  
Arizona Corporation Commission

Dear Ms. Liles:

The undersigned is owner or authorized representative of the owners of the real property described on the attached Exhibit A and being a part of the projects known as Jorde Hacienda located in Pinal County, Arizona. The owner(s) have no objection to Santa Cruz Water Company's and Palo Verde Utilities Company's inclusion of Owner's land described on Exhibit A in Palo Verde's and Santa Cruz's CC&N expansion application.

Sincerely,  
Jorde Hacienda, Inc., an Arizona corporation

Paul Jorde, President      8-16-05  
By: Paul Jorde      Date  
Its:

**EXHIBIT A TO**  
**PURCHASE AND SALE AGREEMENT**

**Legal Description**

**PARCEL NO. 1:**

The Northeast quarter of Section 15, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

**PARCEL NO. 2:**

The South half of the South half of Section 11, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT that portion of the South half of the South half of Section 11, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, which lies within a strip of land 300 feet in width, being 150 feet wide, when measured at right angles, on each side of the following described line:

BEGINNING at a point on the Easterly line of said Section 11 and from which the Southeast quarter of said section 11 bears South 00 degrees 01 minutes 40 seconds West, 867.59 feet distant therefrom;

Thence North 89 degrees 54 minutes 21 seconds West, (North 89 degrees 52 minutes 59 seconds West, record) along said centerline, a distance of 5286.33 feet to a point on the Westerly line of said Section 11, said point also being the point of terminus, and from which the Southwest corner of said Section 11 bears South 00 degrees 00 minutes 56 seconds West, 876.07 feet distant therefrom;

EXCEPT that portion of the South half of the South half of Section 11, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, lying Easterly of the following described line:

BEGINNING at the Southeast corner of said Section 11;

Thence North 89 degrees 57 minutes 21 seconds West (North 89 degrees 52 minutes 59 seconds West, record) being parallel with the Southerly right-of-way line of the Yuma-Casa Grande Interstate Highway 8, a distance of 68.25 feet;

Thence North 00 degrees 01 minutes 40 seconds East (North 00 degrees 30 minutes 00 seconds East, record), being parallel with the Easterly line of said Section 11, a distance of 717.56 feet (716.90 feet record) to a point on said Southerly right-of-way line of the Yuma-Casa Grande Interstate Highway 8, said point also being the point of terminus of this description; and

EXCEPT that portion of the South half of the South half of Section 11, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, lying Easterly of the following described line:

BEGINNING at the Southeast corner of said Section 11;

Thence North 00 degrees 03 minutes 00 seconds East 1866.90 feet;

Thence North 89 degrees 52 minutes 59 seconds West 57.31 feet;

Thence South 00 degrees 07 minutes 01 seconds West 400 feet;

Thence North 89 degrees 52 minutes 59 seconds West 9.33 feet;

Thence South 00 degrees 07 minutes 01 seconds West 175 feet;

Thence North 89 degrees 52 minutes 59 seconds West 122.93 feet;

Thence South 00 degrees 07 minutes 01 seconds West 275 feet to the North line of the first exception herein and the end of this line description.

PARCEL NO. 3:

The West half of Section 14, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

PARCEL NO 4:

The Northwest quarter and the North half of the Southwest quarter of Section 11, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT that portion conveyed to the State of Arizona in Docket 373, page 77 and in Docket 375, page 501.

PARCEL NO. 5:

The Northeast quarter and the North half of the Southeast quarter of Section 11, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT that portion conveyed to the State of Arizona in Docket 373, page 77 and in Docket 375, page 501.

PARCEL NO. 6:

The East half of Section 14, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all the coal and other minerals as reserved in Patent from United States of America.

EXCEPT that portion conveyed to the State of Arizona by Deed recorded in Docket 383, page 330, described as follows:

The East 68.25 feet of the North 133.10 feet of Section 14, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

PARCEL NO. 7:

Lot 18 and the South half of the Northwest quarter and the North half of the Southwest quarter of Section 13, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all coal and other minerals as reserved in Patent from United States of America.

PARCEL NO. 8:

Lots 19 and 20 of Section 13, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

PARCEL NO. 9:

That portion of the North half of the Northwest quarter of Section 24, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, described as follows:

BEGINNING at the Southeast corner of the North half of the Northwest quarter of said Section 24;

Thence North 00 degrees 03 minutes East along the East line thereof, 500 feet;

Thence South 89 degrees 59 minutes 45 seconds West, parallel with the South line of the North half of the Northwest quarter of said Section 24, a distance of 232 feet;

Thence South 00 degrees 03 minutes West 500 feet to a point on the South line of the North half of the Northwest quarter of said Section 24;

Thence North 89 degrees 59 minutes 45 seconds East along said South line, 232 feet to the POINT OF BEGINNING.

PARCEL NO. 10:

Lots 5 and 6 of Section 24, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT all the coal and other minerals as reserved in Patent from United States of America.

PARCEL NO. 11:

The South half of the Southwest quarter of Section 13, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

PARCEL NO. 12:

Lots 5, 6, 7, 8, 17, 18, 19 and 20, Section 12, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT all that portion which lies within a strip of land 300 feet in width, being 150 feet, when measured at right angles on each side of the following described centerline:

BEGINNING at a point on the West line of Section 7, Township 7 South, Range 3 East, which point is 150 feet Southerly of the West quarter corner thereof;

Thence North 89 degrees 52 minutes 59 seconds West, a distance of 10562.63 feet, more or less, to a point on the West line of said Section 12 and the end of this centerline description; and

EXCEPT all the coal and other minerals as reserved in Patent from United State of America. (Affects Lots 5 and 6 of said Section 12)

PARCEL NO. 13:

The West half of Section 12, Township 7 South, Range 4 East of the Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all that portion which lies within a strip of land 300 feet in width, being 150 feet, when measured at right angles; on each side of the following described centerline:

BEGINNING at a point on the West line of Section 7, Township 7 South, Range 3 East, which point is 150 feet Southerly of the West quarter corner thereof;

Thence North 89 degrees 52 minutes 59 seconds West, a distance of 10562.63 feet, more or less, to a point on the West line of said Section 12 and the end of this centerline description; and

EXCEPT all the coal and other minerals as reserved in Patent from United States of America. (Affects the South half of the Southwest quarter of said Section 12); and

EXCEPT all that portion lying Westerly of the following described line:

COMMENCING at the Northwest corner of Section 13, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Thence South 00 degrees 03 minutes 00 seconds West, a distance of 133.10 feet;

Thence South 89 degrees 52 minutes 59 seconds East, a distance of 106.79 feet to the TRUE POINT OF BEGINNING;

Thence North 00 degrees 03 minutes 00 seconds East, a distance of 2000 feet and the end of this line description.

PARCEL NO. 14:

Government Lots 3 through 10 inclusive, 15, 16, 17, 21, 22 and the North half of the Northwest quarter of Section 13, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

PARCEL NO. 15:

Government Lots 3 and 4, Section 24, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.