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June 16, 2006

BY HAND DELIVERY

Blessing Chuckwu, Executive Consultant III
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Re: The Links at Coyote Wash Utilities, LLC
Application for Extension of its Certificate of Convenience and Necessity
(CC&N), Docket No. SW-04210A-06-0220

Dear Ms. Chuckwu:

I am in receipt of your Letter of Insufficiency dated May 3, 2006, in the above-captioned matter. Please accept this correspondence and the enclosed documents as the Links at Coyote Wash Utilities, LLC's ("Links Utilities" or the "Company") response to the specific issues raised in your letter.

1. Please provide the requests for service for the SW1/4 of Section 11, SE1/4 of Section 12, NE1/4 of Section 14, all of Township 9 South, Range 19 West. The request for service provided with the application only references SW1/4 of Section 12, T9S, R19W.

Response: Enclosed herein as **Attachment 1** is a written request for service from G-12, LLC to Links Utilities' management entity, Pivotal Utility Management, LLC, for the SW1/4 of Section 11, SE1/4 of Section 12, NE1/4 of Section 14, all of Township 9 South, Range 19 West.

2. The wastewater flow data information that was included in the application was for 2004. Please provide the most recent 12 month wastewater flow data. (A blank form is attached.)

Response: Enclosed herein as **Attachment 2** is the wastewater flow data for Links Utilities for 2005.

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3. Please provide a construction schedule that shows (1) when the Company will get its Section 208 plan modification approval, (2) when ADEQ will approve the APP modification, (3) when the company begins the proposed 0.235 MGD plant expansion construction, and (4) the completion date of the proposed 0.235 MGD plant expansion installation.

Response: Enclosed herein as **Attachment 3** are documents responsive to this request for information.

4. Please provide a copy of the Company's OSHA Safety Training Manual for the employees and operators of the proposed plant.

Response: Enclosed herein as **Attachment 4** are documents responsive to this request for information.

5. Please provide a copy of the itemized Engineering Costs for the Treatment Plant.

Response: Enclosed herein as **Attachment 5** is an itemized estimate of Engineering Costs for the Treatment Plant.

6. Please provide a copy of the Company's ADEQ Compliance Report.

Response: Enclosed herein as **Attachment 6** is a May 18, 2006 letter from ADEQ noting that Links Utilities is in compliance, and that no enforcement actions are pending.

7. Please provide the Company's 2005 financial statements.

Response: Enclosed herein as **Attachment 7** are Links Utilities' financial statements for 2005.

8. Please provide a copy of the Town of Wellton franchise agreement that includes the proposed extension area. If the proposed extension area is outside the Town limits, please provide a copy of the Yuma County franchise agreement that includes the proposed extension area. If the franchise agreement(s) has not been issued, please inform Staff of the status of the application for the franchise agreement.

Response: Links Utilities currently provides wastewater service within the Town of Wellton ("Town") pursuant to a June 3, 2004 letter from the Town's attorney permitting the Company to use the Town's right-of-ways for the collection system. *See Attachment 8, see also Decision No. 67157 at 5.* The area included in Links Utilities' requested extension area is also within the Town limits, and is part of the Pre-Annexation Development Agreement between the Town and G-12, LLC. Links Utilities believes that the authorization provided by Town's counsel on June 3, 2004 extends to the area sought in the current application. However, should

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Staff require written confirmation from the Town, Links Utilities can supplement its application once sufficiency is granted.

9. The Tentative Water and Sewer Plans for Unit #3 and 4 in Exhibit 7 of the application depicts, among other things, golf courses and lakes that are planned in the extension area. Does the Company plan to use effluent for artificial lakes, golf courses, ornamental structures, open spaces, and any other aesthetic water features? If so, at what point in time does the Company intend to utilize effluent for such uses? Please explain in detail. Please be sure to include the number of houses that would have to be built in order to generate enough effluent for such uses.

Response: Links Utilities is already incorporating the use of effluent to serve the existing golf course at the Links at Coyote Wash development ("Development"). Links Utilities plans to utilize increased effluent created by new residents in Units #1 through #4 of the Development for proposed new golf courses, as well as any applicable artificial lakes, ornamental structures and open spaces designed for future development within its CC&N. The Development and surrounding area is anticipated to grow over the next 5 to 10 years. Links Utilities is working in conjunction with the Town, which is providing municipal water service, to integrate water and wastewater master plans for the Development and surrounding area.

Should you have any further questions, please do not hesitate to call. Thank you for your time and assistance in this matter.

Sincerely,



Patrick J. Black

Enclosures

cc: Docket Control (w/encl.)
Jason Williamson, Pivotal Utility Management

1799512.1/16307.001

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June 16, 2006

Re: The Links at Coyote Wash Utilities, LLC
Application for Extension of its Certificate of Convenience and Necessity (CC&N)
Docket No. SW-04210A-06-0220

Attachment 1

G-12, L.L.C.
4400 East Highway 80
Yuma, AZ 85365
(928) 726-5920

May 24, 2006

Jason Williamson
PIVOTAL UTILITY MANAGEMENT, L.L.C.
6825 E. Tennessee Avenue, Suite 401
Denver, CO 80224

Re: The Links at Coyote Wash Utilities, L.L.C.
Application for Extension of its Certificate of Convenience and Necessity
Arizona Corporation Commission Docket Control # SW-04210A-06-0220

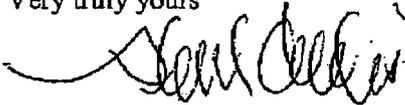
~~Dear Mr. Williamson:~~

Please be advised that we are the owners of the property described as the Southeast quarter (SE $\frac{1}{4}$) of Section 11, the Southeast quarter (SE $\frac{1}{4}$) of Section 12, and the Northeast quarter (NE $\frac{1}{4}$) of Section 14, all in Township 9 South (T9S), Range 19 West (R19W), Yuma County, Arizona. This property is adjacent to our mixed-use subdivision known as The Links at Coyote Wash. We intend to develop this property as a single family residential subdivision with a golf course in the Town of Wellton.

As part of our development agreement with the Town, we are required to provide sewer service. The most efficient way for us to provide service to our new development is for The Links at Coyote Wash Utility Company, L.L.C., the utility company currently serving our original subdivision, to expand its service area. I hereby request that The Links at Coyote Wash Utilities, L.L.C. file an application to extend its CC&N to provide sewer service, and provide sewer service, within the area described above. I am directing this letter to you and your company as the contract manager of the utility company.

Thank you for your consideration in this matter.

Very truly yours



Glen T. Curtis, Manager

FENNEMORE CRAIG, P.C.

Blessing Chuckwu, Executive Consultant III
June 16, 2006

Re: The Links at Coyote Wash Utilities, LLC
Application for Extension of its Certificate of Convenience and Necessity (CC&N)
Docket No. SW-04210A-06-0220

Attachment 2

COMPANY NAME: The Links at Coyote Wash Utilities, LLC

WASTEWATER FLOWS

MONTH/YEAR (Most Recent 12 Months)	NUMBER OF SERVICES	TOTAL MONTHLY SEWAGE FLOW	SEWAGE FLOW ON PEAK DAY
January, 2005	150	192952	.0342 mg
February, 2005	150	204839	.0330 mg
March, 2005	150	209945	.0428 mg
April, 2005	150	160562	.0454 mg
May, 2005	151	102954	.0126 mg
June, 2005	151	147496	.0132 mg
July, 2005	151	110159	.0091 mg
August, 2005	155	127081	.0096 mg
September, 2005	155	143796	.0100 mg
October, 2005	155	203736	.0186 mg
November, 2005	159	261048	.0182 mg
December, 2005	159	341993	.0202 mg

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June 16, 2006

Re: The Links at Coyote Wash Utilities, LLC
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Docket No. SW-04210A-06-0220

Attachment 3

208 Consistency Review Form



This facility review is based on information obtained from the applicant, permit writer, the associated Water Quality Management Plan (WQMP) and amendments, and other related documents as cited.

Permit Writer or Applicant – Please Complete Sections 1-14

Facility Information		Explanation (Provide a brief description)
1. Include Facility Name, name of Owner, name of Applicant & Permit Writer. <i>& (If Known, Please include permit number)</i>	NAME: OWNER: ADEQ STAFF: PERMIT #:	The Links at Coyote Wash WWTF The Links at Coyote Wash Utilities TBD/ Not yet Assigned P-105311
2. Permit category - (a, b, or c) a. AZPDES (describe discharge) b. Individual APP (describe facility) c. General permit (describe type)		b. Individual Permit
3. Facility location (watershed, county, Lat/Long or Township, Range & Section)	WATERSHED: COUNTY: LOCATION:	Yuma Basin Groundwater Yuma County South of the town of Wellton, AZ at the corner of Ave 29 East and County 12 th St. Township 9 N, Range 18W, Section 7
4. Type of permit - (a, b, c, or d) a. New WWT facility b. AZPDES renewal c. Modification to an existing facility d. On-site subdivision		c. Modification to an existing facility
5. Attach a descriptive map <u>Include a, b, c, & d</u> a. Facility/site location b. Discharge location(s) c. Adjacent urban areas (the nearest urban area may be miles away) d. Nearest surface water(s)		See Attached map
6. Treatment & Design Capacity (design flow for annual average daily flow) <i>Note: If renewal with no changes in discharge location, technology, treatment and disposal methods, and capacity - STOP HERE</i>		0.235 MGD, no change in discharge location, technology, treatment level or disposal method INCREASE IN CAPACITY FROM EXISTING PERMIT
7. Change in annual average daily flow – (a, or b)? a. No change b. Increase (explain)		B, Increase in flow from 0.126 mgd to 0.235 mgd to accommodate additional development
8. Treatment method (explain)		Extended aeration utilizing activated sludge process including nitrogen removal and chlorination/ dechlorination
9. Change in treatment method – (a, b, or c)? a. No change b. Improvement to technology c. Septic/alternative systems (attach ADEQ Forms 113 and 115)		a. No change in treatment method

10. Effluent disposal method(s) <i>If discharge is to a surface water or lake, provide name of surface water.</i>		Discharge to adjacent golf course irrigation pond for reuse consistent with reclaimed water permit for B+ effluent
11. Change in effluent disposal method (a, b, c, or d)? a. No change b. Change in location (explain) c. Change in method (explain) d. Additional locations (explain)		a. No Change to effluent disposal method
12. Sludge handling – describe how sludge will be handled		Waste sludge is removed to the Copper Mountain Landfill in Wellton, AZ and landfilled in accordance with applicable requirements
13. Entity type a. Municipality/public utility b. Private utility c. Semi public (<i>sanitary district</i>) d. Other (<i>individual homeowner or homeowners association</i>)		a. The Links at Coyote Wash Utilities operates under CC&N granted by the Corporation Commission.
14. Service area (if known) <i>Attach map & legal description</i> a. New service area for CC&N b. Expansion of existing service area c. Increase # of lots in subdivision d. Other		See attached map, Incorporation of expansion to the existing subdivision into the service area for the WWTF.

For ADEQ 208 Review Staff Only –

Facility Information	Explanation (Reference the page # and COG WQMP)
1. DPA	Yuma. <i>Yuma County Master Plan 2002. The Plan. Pages 4C-1 thru 4C-7.</i> This project is not listed in the plan. The plan does describe development in the Wellton Area and The Expansion of the Links WWTP in order to serve surrounding development supports 208 regional wastewater planning goals.
2. Permit number	P-105311
3. Service area <i>Attach map & legal description</i> a. New service area for CC & N b. Expansion of existing service area c. Increase # of lots in subdivision	Southern portion of the Wellton area. See Map.
4. Planning area <i>Attach map & legal description</i> a. New b. Expansion of planning area	n/a
5. Designated Management Agency a. Facility is a DMA b. Distance to nearest DMA c. Ordinance requiring hookup	The town of Wellton is the DMA; I conferred with Gary Rinehart, Town Manager, of the Town of Wellton. The Town is supportive of this project.

Does the facility meet any of the following conditions?

Special Conditions	Explanation
6. Discharge to a unique water?	No
7. Discharge to an impaired/not attaining water?	No
8. Pollutant load allocations specified in a TMDL?	No
9. Located in a nitrogen management area?	n/a
10. Change in ownership? (Pima County only)	n/a
11. Other (compliance issues, site specific standards, etc.)	This determination is based on the following: 1) the project is not in the draft 208 plan, nor specifically mentioned in the Yuma Comprehensive Plan 2) from a regional planning perspective, it makes sense to sewer, 3) that the facility be incorporated into the final Yuma 208 Plan, and 4) that in the future, unless designated by language in the 208 Plan, or a master sewer plan by the Town of Wellton, that any expansion of capacity or service area, or a request for AZPDES discharge, a 208 amendment will be required.

Based on Section 208 of the Federal Water Pollution Control Act, Arizona Administrative Code R18-9-108(B) (10), and/or the Certified Area WQMP, this application for permit is determined to be:

Determination By: Julie Finke

Date: 7/11/06

Consistent	Not Inconsistent	Inconsistent	208 Coordinator	Unit Manager	Section Manager
	X		JV	B. David	W. Wang

If determination is "inconsistent," an amendment to the Water Quality Management (208) Plan must be processed and submitted for approval by ADEQ.

If determination is "Not inconsistent," this means the project was not identified in the current 208 Water Quality Management Plan, but is consistent with regional water quality management goals.

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June 16, 2006

Re: The Links at Coyote Wash Utilities, LLC
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Docket No. SW-04210A-06-0220

Attachment 4

SAFETY

SAFETY:

NOTE:

The following is provided as general safety information. The Owner or Manager of the wastewater treatment facility should review the following information; determine the extent and content of information that is consistent with their Safety Program. Then the complete safety program should be implemented with all plant operating personnel.

It is the responsibility of the plant owner and operator to be in complete compliance with all OSHA and other regulatory agency safety requirements. The following guidelines are not intended to be inclusive or to interpret these requirements. If there is any conflict between these guidelines and regulatory agency requirements, the regulations of the governing bodies are to be followed.

GENERAL SAFETY RULES

The following is a general list of safety rules. Remember that safety is the responsibility of every person working at the plant.

- Keep the plant clean. A messy plant can cause sanitary as well as safety problems. Some of the problems are slipping on slime in manways; tripping over debris on ground; insect infestations; odor problems; and unsightliness.
- Make it a habit to thoroughly wash your hands before eating or smoking, as well as before and after using the restroom.
- Always wear rubber gloves and protective clothing when handling wastewater or equipment that has been in contact with wastewater. Wash hands thoroughly after working on the plant. Refer to the section on "Wastewater Diseases" below for information on additional sanitary precautions.
- Do not wear your work clothes home because diseases may be transmitted to your family. If you must take your work clothes home, launder them separately from your regular family wash.
- Be careful to use proper techniques when lifting. Bend from the knees, rather than using the weaker back muscles. When removing pumps from basins, use mechanical equipment such as a portable winch whenever possible. If mechanical means are not available, get help.
- Electrical tools. Do not use electrical tools around water or wastewater. Electrical shocks can be very injurious and even fatal when water is combined with electricity.
- When working in confined spaces, be aware of the safety tips listed in the section on "Confined Spaces" listed below.
- Be careful when working with chemicals. Always use protective gloves and eyewear. Keep MSDS (Material Data Safety Sheets) reports on file for every chemical or toxic substance used in the plant. Take time to read the MSDS sheets. Know which chemicals are dangerous to breathe or touch. Always keep chemicals in their original containers with labels intact. Do not mix chemicals unless instructions indicate that this is acceptable (be aware that some chemicals that are relatively harmless by themselves, become extremely dangerous when mixed with other chemicals).

SAFETY

- MSDA (Material Data Safety Sheet) is a document that provides pertinent information and a profile for a particular hazardous substance or mixture. The manufacturer or formulator of the hazardous substance or mixture normally develops an MSDS.
- Be aware that if wastewater is allowed to become septic, it produces hydrogen sulfide, which is extremely toxic to breathe and is very corrosive. Before entering a tank or any area that does not get adequate ventilation, it is advisable to test the atmospheric conditions and take appropriate precautions if dangerous gases are present.

EQUIPMENT SAFETY RULES

ELECTRICAL SYSTEMS

Sewage gas can cause conduits to rust, contacts to stick, and fire hazards with the combination of gas and electrical sparks. To prevent damage and hazards from occurring, the following rules should be observed:

- Allow only qualified technicians to work on the electrical system.
- Be sure that all electrical controls and switch boxes are well marked and accessible.
- Provide locks to lock out switch boxes and controls.
- Properly ground all electrical systems.
- Do not use metal ladders around electrical systems.
- Provide lockout stop buttons at all electrical equipment, where the circuit breaker is not in sight of the electrical equipment.
- Have all wiring in electrical conduit and sealed to prevent the transfer of gas, where possible.
- Maintain in good repair and proper position all conduit seals

PUMPS

- Workmen should never put hands, feet or any other part of their bodies under the pumps when removing them from the tanks.
- Workmen should use rubber gloves and boots for this type of maintenance. If the pump needs to come out for repairs, precautions should be taken while lifting the pump out. No attempt should be made to manually carry a pump up or down steps or ladders. Use lifting strap or hoist when provided.
- Upon completion of the work, the area should be cleaned. The pump manway cover should be kept locked at all times to prevent unauthorized access.

CHLORINATOR

Chlorine gas is non-flammable, non-explosive and a non-conductor of electricity. It is, however, a powerful oxidizing agent, and reacts directly with most of the elements and oxidizable compounds at ordinary temperatures. When chlorine comes into contact with moisture, a chemical reaction occurs leading to the formation of hydrochloric and hypochlorous acids; both very corrosive and harmful upon personal contact. Always handle chlorine wearing gloves and protective eyeglasses.

SAFETY

DANGER

Chlorine containers should be handled with care. The product is highly corrosive, causes skin and eye damage, and may be fatal if swallowed. Do not get into eyes, on skin or on clothing. Wear goggles or a face shield and rubber gloves when handling tablets or working with the chlorinator. Chlorine is irritating to nose and throat, therefore caution must be taken regarding the breathing of its dust. Remove and wash contaminated clothing before reuse. It is a strong oxidizing agent and should be mixed only with water. Contamination may cause fire! If swallowed, feed bread soaked in milk, followed by olive oil or cooking oil. Call a physician immediately. If on skin, brush off excess chemical and flush skin with cold water for at least 15 minutes. If irritation persists, get medical attention. It is a violation of federal law to use tablets in a manner inconsistent with the label on the container.

METERING PUMPS

Protective Clothing:

Always wear protective clothing, face shield, safety glasses and gloves when working on or near your metering pump.

Water Pre-Prime

Always confirm that your chemical solution is compatible with water. All LMI pumps are pre-primed with water when shipped from the factory. If your solution is not compatible with water, disassemble the Pump Head Assembly. Thoroughly dry the pump head, valves, seal rings, balls, and diaphragm. Re-assemble head assembly tightening screws in a crisscross pattern. Refill the pump head with the solution to be pumped before priming the pump.

Solution Compatibility

Your Liquid Handling Assembly Sheet lists the materials of construction included in the liquid handling portion of your pump. Should you have any further compatibility questions on your LMI Metering Pump, review the LMI Pump Selection Guide and Chemical Resistance Chart.

Tubing Connections

Inlet and outlet tubing or pipe sizes must not be reduced. Make certain that all tubing is Securely Attached to fittings prior to start-up. Always use LMI supplied tubing with your pumps, as the tubing is specifically designed for maximum compatibility with the pump operation.

Fittings and Machine Threads

All fittings should be hand tightened to a maximum of 1/8 - 1/4 turns after the fitting contacts the seal ring. **DO NOT OVERTIGHTEN FITTINGS. Over tightening or use of a pipe wrench can cause damage to the fittings, seal rings, or pump head, causing the pump to LOSE PRIME OR NOT FUNCTION.**

All LMI pumps have straight 3/4" -16 or 1"-12 machine threads on the head and fittings and are sealed by the seal rings. **DO NOT use Teflon tape or pipe dope to seal threads.** Teflon tape may only be used on the 1/2" NPT thread side of the Injection Check Valve before installing in a pipe line or tee.

Plumbing

Always adhere to your local plumbing codes and requirements. Be sure installation does not constitute a cross connection. Check local plumbing codes for guidelines. Neither LMI nor Santec is responsible for improper installations.

SAFETY

Warning: Do not use clear vinyl tubing on the discharge side of the pump. The pressure created by the pump can rupture the vinyl tubing.

Electrical Connections

Warning: to reduce the risk of electrical shock, the metering pump must be plugged into a grounded outlet with ratings conforming to the data on the pump control panel. The pump must be connected to a good ground. **DO NOT USE ADAPTERS!** All wiring must conform to local electrical codes.

AERATION BLOWER UNITS

Piping and Accessories: WARNING DO NOT TOUCH! The blower casing and associated piping or accessories may become hot enough to cause major skin burns on contact.

ROTATING PARTS: Internal and external rotating parts of the blower and driving equipment can produce serious physical injuries. **DO NOT REACH INTO ANY OPENING IN THE BLOWER WHILE IT IS OPERATING**, or while subject to accidental starting. Cover external moving parts with adequate guards.

ELECTRICAL: Disconnect power before doing any work and avoid bypassing or rendering inoperative any safety or protective devices.

WORKING AROUND AN OPERATING UNIT:

- If blower is operated with piping disconnected, place a strong coarse screen over the inlet and avoid standing in the discharge air stream.
- Stay clear of the open inlet piping (suction area).
- Stay clear of blast from pressure relief valves.
- Always wear earplugs for protection when working around unit while it is operating.
- Avoid extended exposure in close proximity to machine to protect yourself from noise.

WORKING ON UNIT:

Use care and proper procedure in handling, lifting, installing, operating and maintaining the equipment.

Casing pressure must not exceed 25-psi (172 kPa) gauge. Do not pressurize vented cavities from an external source, nor restrict the vents.

Do not use air blowers on explosive or hazardous gases.

CONFINED SPACES

According to OSHA law, each entry into a confined space requires a confined space entry permit. The confined space entry permit is "an authorization and approval in writing that specifies the location and type of work to be done, certifies that all existing hazards have been evaluated by the qualified person, and that necessary protective measures have been taken to ensure the safety of each worker. The permit is renewed each time the space is left and re-entered, even if for a break or lunch, or to go get a tool.

The qualified person is a person designated in writing as capable (by education and/or specialized training) of anticipating, recognizing, and evaluating an employee's exposure to hazardous substances or other unsafe conditions in a confined space. This person must be capable of specifying the control procedures and protective actions necessary to ensure worker safety.

SAFETY

Confined spaces are defined by OSHA as:

- Has limited or restricted means of entry or exit,
- Is large enough for an employee to enter and perform assigned work, and
- Is not designed for continuous worker occupancy.

As a rule of thumb guide, if you must duck, crawl, climb, or squeeze into the space your are entering it would be considered a confined space. In most Santec plants spaces that would be defined as confined spaces would include but not be limited to;

- Vertical basins.
- Manway access cylinders.
- Horizontal tanks, aeration reactors, clarifier and filter basins.

Confined spaces may contain flammable, explosive, toxic, or other hazardous substances or may have an absence of sufficient oxygen. These conditions could cause injury, acute illness, disability, or death. If a person is required to enter a confined space, OSHA standards must be followed. It is extremely important to test atmospheric conditions before entering confined spaces. Remember: **many hazardous gasses and chemicals are not detectable by sight or smell.**

CONFINED SPACE PRE-ENTRY CHECKLIST/CONFINED SPACE ENTRY PERMIT

Job Site / Space I.D.				
Date & Time Issued		Date & Time Expires		
Job Supervisor				
Work to be performed				
Standby personnel				
Atmospheric Checks:				
Time	% Oxygen	% Explosive LFL		
Toxic, ppm		Carbon Monoxide, ppm		
Testers Signature:				
Source isolation:	(No entry)	N/A	Yes	No
Pumps or lines blinded, disconnected or blocked		N/A	Yes	No
Ventilation Modification		N/A	Yes	No
		Mechanical		
		Natural Ventilation Only		
Atmospheric check after isolation and ventilation		Time:		
Oxygen %(>19.5)		Toxic, ppm (<10 ppm H ₂ S)		
Explosive % (LFL <10%)		Carbon Monoxide, ppm (<35 ppm CO)		
Tester's Signature:				

SAFETY

Communication Procedures:								
Rescue Procedures:								
Entry, standby, and backup persons:	Yes						No	
Successfully completed training?	Yes						No	
Is training current?	Yes						No	
Equipment	N/A	Yes					No	
Direct reading gas monitor tested?								
Safety harnesses & lifelines for entry and standby persons?								
Hoisting equipment?								
Powered communications?								
SCBA's for entry and standby persons?								
Protective clothing?								
All electric equipment listed for Class I, Division I, Group D and non sparking tools:								
Periodic atmospheric tests:								
	%	Time	%	Time	%	Time	%	Time
Oxygen								
Explosive								
Toxic								
Carbon Monoxide								

We have reviewed the work authorized by this permit and the information contained herein. Written instructions and safety procedures have been received and are understood. Entry cannot be approved if any brackets () are marked in the "No" column. This permit is not valid unless all appropriate items are completed.

SIGNATURE PAGE

Permit Prepared By:
(Supervisor) _____

Approved By: (Unit Supervisor)

Reviewed By: (CS Operations Personnel)

This permit is to be kept at job site.

**Re CONFINED SPACE SAFETY
MEASURES**

What is a confined space?

OSHA defines a confined space as "any space having limited means of egress, which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere."

What makes it dangerous?

Many confined spaces are poorly ventilated--a condition that is favorable to the creation of an oxygen-deficient atmosphere and the accumulation of toxic gases. They also are not designed for continuous employee occupancy; hence, little consideration has been given to the preservation of human life within the confined space when employees need to enter it. Confined spaces may be classified into two categories:

- open topped enclosures with depths that restrict the natural movement of air; and
- enclosures with extremely limited openings for entry and exit.

How does it affect workers?

Since the atmosphere may be oxygen-deficient or toxic the atmosphere may be highly flammable or explosive. Therefore, the atmosphere should be checked prior to entry and continually monitored.

What makes the atmosphere flammable?

- The amount of oxygen in the air, and
- A flammable gas, vapor, or dust in the proper mixture

An oxygen-enriched atmosphere (above 21 percent) will cause flammable materials, such as clothing and hair, to burn violently when ignited. Therefore, never use pure oxygen to ventilate a confined space. Ventilation should be with normal air. A common method of ventilation requires a large hose, one end attached to a fan and the other lowered into a manhole or opening.

Can I trust my senses to test the environment to determine if entry is safe?

Never trust your senses to determine if the air in a confined space is safe. You cannot see or smell many toxic gases and vapors, nor can you determine the level of oxygen present.

What is the first thing I should do before entering a confined space?

In every situation where employees work in a confined space, a rescue plan must be developed and implemented prior to entry. According to NIOSH, a standby rescue person should be assigned to remain outside the confined space and be in constant contact with the workers inside. This person should have no duties other than standby responsibilities, which include knowing who to notify in case of an emergency.

SAFETY

Standby personnel should never enter the confined space until help arrives, and then with the proper equipment, such as respirators, life lines, or other equipment.

Where can I go to get additional information on confined spaces and entry procedures?

Call 800-356-4674 turn job site copy to Safety Office following job completion.

LABORATORY OPERATIONS¹

Treatment plant laboratories facilitate process-control and permit-compliance required tests. They are expected to comply with OSHA's Chemical Hazard Plan (CHP); the Hazard Communication Act; the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and SARA rules and regulations, as well as any additional rules and procedures states and municipalities may require. Hazards abound in the laboratory, so observe the following precautions when working there;

- Allow only authorized, properly trained persons in the laboratory. It should not be a social center.
- When handling toxic or dangerous chemicals and samples, wear gloves and aprons suitable for the chemicals to be handled. Always wear safety glasses. Label all chemicals in accordance with the Hazard Communication Act and Chemical Hazard Plan. Record the date that chemicals are opened and safely dispose of expired or questionable chemicals.
- Safely dispose of broken or cracked glassware.
- Keep all work areas, incubators, ovens, furnaces, refrigerators, scales, and other equipment clean. Avoid clutter and store every unused item where it belongs.
- Always add acid slowly to water; never add water to acid.
- Use a clean, dry pipette bulb to pipette chemicals or samples. Safely dispose of contaminated pipette bulbs.
- Never store, prepare, or eat food in the laboratory.
- Provide emergency eye wash, shower, and spill neutralization facilities to wash out chemical spills, and inspect and test them regularly.
- Clean up and neutralize a spill immediately.
- Keep electrical meters and instruments away from sinks and water.
- Do not work alone. If you must work alone, arrange to notify someone frequently of your safety by telephone or other means.
- Only open fuming acids and aromatic chemicals and digest samples under a ventilation hood.
- Prominently post signs that warn persons against "hot" areas such as furnaces, ovens, water baths, digestion apparatus, and hot plates.
- Post emergency telephone numbers by all telephones. Minimum listings include the poison control center, emergency medical services, supervisor, and fire department.
- Inspect the acid-neutralizing basins and tanks servicing lab sinks quarterly and recharge with neutralizing material when needed.

¹ Water Environment Federation, Manual of Practice SM-1, pp 43,44

SAFETY

WASTEWATER DISEASES

While few employees contract diseases from working in wastewater treatment or collection systems, pathogens do exist in wastewater, and employers and employees should take steps to educate themselves about the hygienic and medical practices that can prevent infection.

The first line of defense against wastewater-borne diseases is soap and water. The importance of washing after working with the wastewater treatment plant equipment, sampling, and performing equipment maintenance can not be over emphasized. Using a bacteria static soap is recommended.

The second line of defense includes the use of latex gloves and equipment. Using disposable gloves and clothing will provide additional protection against diseases. Care should be taken to dispose of used gloves and clothing in a proper manner.

A third step including considered vaccinations and inoculations should be considered. Vaccinations can have negative effects, such as allergic reactions, variability of immune response or lack of antibody formation, and even death. You should become aware of the potential benefits and reactions to vaccinations before deciding on whether you will take this step.

Health departments strongly recommend employees be vaccinated for tetanus-diphtheria, with booster shots every 10 years. The booster shots are necessary because the body forgets the antigen form with time.

To a lesser extent, health departments recommend that employees receive a series of three poliomyelitis inoculations. The Infectious Disease Branch, The California Department of Health Services reports that people may not need a vaccination for polio unless they are in contact with wastewater from southeast Asian immigrant communities that can carry a wild type of polio virus. Exposure from pooled wastewater may pose a higher risk to employees, but where vaccines have been administered, no cases of occupationally acquired poliomyelitis have been reported in the U.S.

The only other inoculation the health departments typically recommend is for typhoid fever. Although the disease occurs rarely it is virulent. The vaccine's side effects can be uncomfortable because of allergic reactions and low-level disease response. The dose can be delivered orally or by injection, and booster shots are needed every 3 years. The injections are not as effective as tablets, which last up to 5 years.

Other inoculations that are not commonly recommended but that could be considered. Most health departments do not recommend the currently used vaccinations for hepatitis A because they are expensive, can cause allergic reactions, and must be repeated every 4 to 8 months to be effective. A new immunization against hepatitis A produced by Smith, Kline, and Beecham is receiving favorable reviews and, if proven successful, may be recommended in the U.S.

Although the hepatitis B vaccine appears to provide substantial protection and is mandated by employers of health professionals dealing with blood borne pathogens, it is not required or recommended for wastewater professional. Although some experts have proclaimed the vaccine effective, many doctors have questioned both its effectiveness and its necessity.

SAFETY

The hepatitis B virus is present only in dilute concentrations in most wastewater streams. Hepatitis B is transmitted through trauma to the skin and exposure to blood. Hypothetically, a wastewater worker could be exposed through a puncture or abrasion but, according to the California Morbidity Report, no case of the virus has ever been linked to wastewater exposure.

General questions and information. Understanding infectious dosage helps employees protect themselves when sampling a waste stream.

For example, cholera infection in U.S. wastewater workers is rare because the causative agent, *Vibrio cholerae*, exists in concentrations too low to be infectious. A person would have to swallow a dose of 1 million to 10 million *V. cholerae* to be infected.

A similar situation exists with HIV. There has been concern about studies showing that HIV has a long survivability in raw wastewater and secondary effluent at lower temperatures (Gerba, Enriquez, Abbaszadegan, Operations Forum, October 1993). However, these studies also noted that infection of a wastewater worker would require puncture of the skin with an infected needle or contact with cuts or damaged skin tissue. The risk of being infected by a needle was calculated at less than 1%.

HIV, like cholera, needs a sufficiently concentrated viral dose to initiate infection. Since hepatitis B infection is more prevalent than acquired immune deficiency syndrome (AIDS) in the population, HIV infection from wastewater would be less likely than hepatitis B infection. Because no cases of hepatitis B have ever been linked to wastewater exposure, it follows that the risk of HIV infection is virtually nonexistent.

Environment affects the longevity and infection capacity of a pathogen. Microbes are more comfortable in a warm body than washing down the hostile environment of a sewer drain where they are subject to the predation of other organisms. Most pathogens do not thrive out of the host.

Pathogens need to enter a host in a specific way to be infectious. For example, the organism that causes cholera must be consumed to be infective, whereas the HIV virus must enter a bloodstream through injection or sexual contact to be infectious.

Individuals have different levels of susceptibility to disease. Three people can all be exposed to the same disease while only one is infected. Infection can depend on the individual's physical characteristics, including immune response, physical condition, and age.

Studies have shown that the risk of acquiring diseases from the viruses contained in wastewater is equal among wastewater professionals and non-wastewater professionals. A wastewater professional may even have a slightly higher level of protection because of exposure to antigens. Nevertheless, individuals can become complacent about hygiene practices and increase their risks. **Precautions are necessary.**

HIV SURVIVABILITY IN WASTEWATER:

Acquired Immune Deficiency Syndrome (AIDS) is one of the major health concerns in the world today. The Human Immunodeficiency Virus (HIV), the virus that causes AIDS, has been identified in body fluids and excretions from infected individuals. These body fluids and excretions may result in the presence of HIV in raw wastewater.

SAFETY

The only modes of HIV transmission recorded to date are sexual contact with an infected individual; sharing of needles by intravenous drug users; transfusion of contaminated blood; exposure of health care workers to blood or other body fluids from infected individuals, resulting from contact with open wounds or accidental needle sticks; and in utero transmission to infants by infected mothers (Riggs, 1989). Consequently, no special precautions have been considered necessary to protect workers in wastewater treatment plants from the potential health threat posed by the presence of HIV in wastewater.

Further studies have produced the following conclusions. HIV is fairly stable in wastewater up to 12 hours. A 2- to 3-log reduction in infectivity was observed after 48 hours. No difference in HIV survivability was observed between wastewater (either primary effluent or nonchlorinated secondary effluent) and sterile water. Therefore, water (either wastewater or sterile water) is a more hostile environment for HIV than cell growth media. As expected, HIV survived longer in sterilized wastewater at 16°C (Slade et al., 1988) than in primary effluent at 25°C. When compared to poliovirus under similar conditions, HIV survival was significantly less.²

² Casson, Leonard W., et al (1992) HIV Survivability in Wastewater, WPCF 213, May/June 1992.

FENNEMORE CRAIG, P.C.

Blessing Chuckwu, Executive Consultant III
June 16, 2006

Re: The Links at Coyote Wash Utilities, LLC
Application for Extension of its Certificate of Convenience and Necessity (CC&N)
Docket No. SW-04210A-06-0220

Attachment 5

ENGINEERS OPINION OF COST FOR Links at Coyote Wash Phase 2

PROJECT NAME: Links at Coyote Wash Phase 2
PROJECT NUMBER:
LOCATION: Wellton, ARIZONA
DATE: 14-Jun-06
PREPARED BY: DED

TREATMENT FACILITY EQUIPMENT

	COST	COST (PPG)
ENGINEERING:	\$10,000	\$0.06
PUMPING AND CONTROL SYSTEMS:	\$88,697	\$0.54
PROCESS TANKS:	\$354,691	\$2.14
PIPE AND FITTINGS:	\$29,097	\$0.18
FACILITY INSTALLATION & CONSTRUCTION LABOR:	\$217,063	\$1.31
TREATMENT FACILITY EQUIPMENT SUB-TOTAL	\$699,548	\$4.22
CONTINGENCY:	\$104,932	\$0.63
 FACILITY TOTAL	 \$804,480	 \$4.86

FENNEMORE CRAIG, P.C.

Blessing Chuckwu, Executive Consultant III
June 16, 2006

Re: The Links at Coyote Wash Utilities, LLC
Application for Extension of its Certificate of Convenience and Necessity (CC&N)
Docket No. SW-04210A-06-0220

Attachment 6



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.adeq.state.az.us



Stephen A. Owens
Director

May 18, 2006

Pivotal Utility Management
Mr. Jason Williamson, Manager
6825 E. Tennessee Ave Suite 547
Denver, CO 80224

RE: Compliance Status for Links Coyote Wash WWTP, Inventory number 105311,
Place Id: 18278, Permit number: 29198.

Dear Mr. Williamson;
Your request for evaluation of compliance status for the above facility is completed. Our records indicate that Links Coyote Wash WWTP has Aquifer Protection Permit number 29198.

The Aquifer Protection Permit reporting requirements and monitoring results which have been submitted indicate the facility **is in compliance** based on the current information that is available to ADEQ and no enforcement actions are pending.

It should be understood that the compliance status of a facility may change from time to time based upon monitoring results or a facility inspection. Therefore this is based on the most current information available.

Sincerely,

Fred Vakili, EHS II
Water Quality Data Unit
Water Quality Compliance Section

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ
86004

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ
85701

FENNEMORE CRAIG, P.C.

Blessing Chuckwu, Executive Consultant III
June 16, 2006

Re: The Links at Coyote Wash Utilities, LLC
Application for Extension of its Certificate of Convenience and Necessity (CC&N)
Docket No. SW-04210A-06-0220

Attachment 7

10:58 AM
05/22/06
Accrual Basis

The Links at Coyote Wash
Profit & Loss
January through December 2005

	<u>Jan - Dec 05</u>
Income	
521.1 Residential Sewer Fees	43,772.99
Total Income	<u>43,772.99</u>
Expense	
403 Depreciation Expense	17,958.00
408 Taxes	
408.1 Property	12.42
Total 408 Taxes	<u>12.42</u>
427 Interest Expense	1,703.99
715 Purchased Power Expense	6,964.20
720 Materials & Supplies	25,759.33
731 Contractual Svc. - Professional	
731.1 Accounting	8,450.00
731.3 Legal Fees	10,255.25
Total 731 Contractual Svc. - Professional	<u>18,705.25</u>
736 Contractual Services - Other	
736.3 Contractual Services-Pivotal	36,800.00
Total 736 Contractual Services - Other	<u>36,800.00</u>
775 Miscellaneous Expenses	
775.4 Bank Service Charges	0.00
775 Miscellaneous Expenses - Other	0.00
Total 775 Miscellaneous Expenses	<u>0.00</u>
Total Expense	<u>107,903.19</u>
Net Income	<u><u>-64,130.20</u></u>

The Links at Coyote Wash
Balance Sheet
 As of December 31, 2005

	<u>Dec 31, 05</u>
ASSETS	
Current Assets	
Checking/Savings	
Coyote Wash Operating Account	1,042.35
Total Checking/Savings	<u>1,042.35</u>
Total Current Assets	1,042.35
Fixed Assets	
Accumulated Depreciation	
108.52 A/D Franchises	-3,347.82
108.61 A/D Sewer Collect - Gravity	-16,409.38
108.70 A/D Receiving Wells	-565.50
108.80 A/D Treatment and Disposal	-15,574.51
Total Accumulated Depreciation	<u>-35,897.21</u>
Plant In Service	
352 Franchises	8,369.55
353 Land	4,270.87
361 Sewer Collections Gravity	410,957.42
370 Receiving Wells	7,500.00
380 Treatment & Disposal Equipment	156,019.52
Total Plant In Service	<u>587,117.36</u>
Total Fixed Assets	<u>551,220.15</u>
TOTAL ASSETS	<u>552,262.50</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
234 Clearing G-12 LLC	163,943.53
Total Other Current Liabilities	<u>163,943.53</u>
Total Current Liabilities	<u>163,943.53</u>
Total Liabilities	163,943.53
Equity	
218.10 Member Equity G - 12 LLC	452,765.64
218.20 Member Equity GCDI	-316.47
Net Income	-64,130.20
Total Equity	<u>388,318.97</u>
TOTAL LIABILITIES & EQUITY	<u>552,262.50</u>

FENNEMORE CRAIG, P.C.

Blessing Chuckwu, Executive Consultant III
June 16, 2006

Re: The Links at Coyote Wash Utilities, LLC
Application for Extension of its Certificate of Convenience and Necessity (CC&N)
Docket No. SW-04210A-06-0220

Attachment 8

Don B. Engler

ATTORNEY AT LAW
1455 WEST 16TH STREET, SUITE A-2
YUMA, ARIZONA 85364

TELEPHONE
928-329-8150

FAX
928-329-8152

June 3, 2004

Jim Fisher, Executive Consultant
Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007-2927

**Re: The Links at Coyote Wash Utilities, L.L.C.
Application for a Certificate of Convenience and Necessity (CC&N)
Docket SW-04210A-03-0712**

Dear Mr. Fisher:

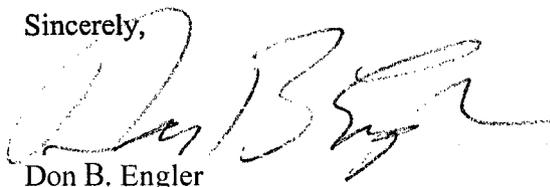
Please be advised that I am the appointed attorney for the Town of Wellton. In that capacity, I helped negotiate the Pre-Annexation Development Agreement between the Town and the Curtis Family (through their wholly owned company G-12, L.L.C.) for the development of the land included in the above referenced application (which Agreement was approved by the Town of Wellton on April 4, 2002). I understand that before issuing the pending CC&N referenced, the Commission requires some evidence that the Applicant has the authority to use the Town's right-of-ways for its collection system.

As part of the Pre-Annexation Development Agreement, G-12, L.L.C. was required to construct and operate a wastewater company to service the needs of their development. This necessarily includes the installation and maintenance of all required collection lines. The Applicant is the successor in interest to G-12, L.L.C. for those parts of the Agreement that relate to the provision of sewer services.

The Applicant, through its parent company G-12, L.L.C., reserved the right to use the right-of-ways for the installation and maintenance of its collection lines when it dedicated those right-of-ways to the Town; in order to comply with the terms of the Pre-Annexation Development Agreement. In my opinion, the right of easement is necessarily implied from the terms of that Agreement and, because of this reservation of rights, the Applicant is not required to obtain a formal franchise agreement with the Town of Wellton.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Don B. Engler

DBE/cat

cc: Joshua Meyer, Esq.
The Links at Coyotes Wash Utilities, L.L.C.