



INTERVENTION

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MOTION TO INTERVENE

**AZ CORP COMMISSION
DOCUMENT CONTROL**

July 11, 2003

Intervenor: Performance Construction Inc./NU-CO-BB1-LLC
Phone: Brent D. Butcher, 801/424-9752
Fax: 801/424-9715
Address: 3975 Highland Dr. #6, Salt Lake City, Utah 84124

RE: Docket #SW-03575A-03-0167, Docket #W-03576A-03-0167
Applicant: Palo Verde Utilities Company and Santa Cruz Water Company

TO ALL PARTIES CONCERNED:

As a potential customer of the above referenced applicant, we are requesting intervention, that we may be included in their expanded service area. Our need for intervention is of the greatest necessity. We currently own 142 acres (sometimes referred to as Dunn Ranch Phase I) that has received approvals for 640 residential lots. (See attached Exhibit A&B) All engineering and platting including construction drawings are substantially complete, and we are ready to start mass grading. The necessity for sewer and water services will be critical within a few months. We have been pursuing water and sewer service to our property for over 18 months and are now at a critical juncture. The administration of Palo Verde Utilities and Santa Cruz Water Company have been very accommodating in our efforts. They have indicated to us that they are willing to provide the services we need and that it is convenient for them to provide this service. Given the timetables for our development, it is also convenient to us to have them provide their services.

I certify to the best of my knowledge that a copy of this motion to intervene has been mailed to the Company and it's Council and to all parties of record in this case.

We appreciate your consideration in this matter.

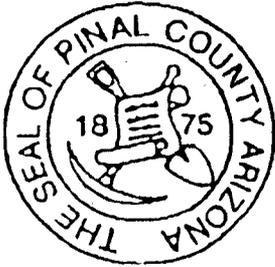
Brent D. Butcher
President/Manager

Arizona Corporation Commission
DOCKETED

JUL 14 2003

DOCKETED BY

Exhibit A



PLANNING & DEVELOPMENT SERVICES

PLANNING-ZONING-ADDRESSING-ENFORCEMENT

October 3, 2002

KEN HARDY
2963 E. ADOBE ST.
MESA, AZ 85213

Re: Dunn Ranch Phase I (S-020-01)

Dear Mr. Hardy:

The Dunn Ranch has Tentative Plat approval on 142 acres consisting of approximate 640 residential building lots. Currently the Dunn Ranch is working on the final plats for these lots consisting of five phases. The first phase of 231 lots now have the construction drawings approved and are now ready to have the Bond put in place and submit to the County Supervisors for approval and recording of the Plat. It normally takes 30 to 45 days for this process.

It is also my understanding that the construction drawings for Phase II consisting of 159 lots is just a few weeks behind Phase I in the approval process and that the remaining Phases are following right behind it.

If you have any further questions please feel free to call.

Sincerely,

D. R. Rittenback, Deputy Director
Planning & Development Department

Exhibit B



PINAL COUNTY

DEPARTMENT OF PUBLIC WORKS

Highway - Flood Control - Fleet Services - Emergency Management - Waste Management

P. O. Box 727 31 N. Pinal St., Bldg F Florence, AZ 85232 Phone: (520) 866-6411 Fax: (520) 866-7943 TDD: (520) 866-6521

MEMORANDUM

Date: June 18, 2003

To: Dennis Rittenback, Deputy Director
Planning & Development

Cc: Tracie Wilgus, Office Administrator
Public Works

From: Garry Jagers, P.E., C.P.M., Deputy Director/County Engineer
Public Works

Subject: Dunn Ranch Phase 3

The paving, grading, water and sewer plans for Dunn Ranch Phase 3 have been reviewed and approved by the Public Works Department. The engineer's cost estimate for roadway improvements in the amount of \$253,389.00 is acceptable. A performance bond guaranteeing the completion of subdivision improvements in the amount of \$380,084.00 is required.

The developer will need to apply for a grading & drainage permit and a right-of-way use permit. The grading & drainage permit fee is \$516.65 and the right-of-way use permit fee is \$13,101.71. All appropriate fees are to be paid at the time permits are issued. Please contact Tracie Wilgus at 520-866-6940 for any questions regarding fees.

Cc: JMI & Associates
David Landers
4151 N. Marshall Way, Suite 12
Scottsdale, AZ. 85251

File