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FENNEMORE CRAIG
A Professional Corporation
Jay L. Shapiro
Patrick J. Black
3003 North Central Avenue
Suite 2600
Phoenix, Arizona 85012
Telephone (602) 916-5000

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Attorneys for Palo Verde Utilities Company and Santa Cruz Water Company

BEFORE THE ARIZONA CORPORATION COMMISSION

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

DOCKET NO. SW-03575A-03-0167

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

DOCKET NO. W-03576A-03-0167

**PALO VERDE UTILITIES COMPANY'S
AND SANTA CRUZ WATER
COMPANY'S RESPONSE TO MOTIONS
TO INTERVENE BY HAM MARICOPA,
LLC, DESERT CEDARS EQUITIES,
LLC AND LAND SOLUTIONS
MARICOPA, LLC, NEWPORT
HOLDING INC./KENT HOGGAN AND
PERFORMANCE CONSTRUCTION
INC.**

Palo Verde Utilities Company and Santa Cruz Water Company (collectively the "Utilities") hereby respond to the joint Motion to Intervene by HAM Maricopa, LLC, Desert Cedars Equities, LLC and Land Solutions Maricopa, LLC, (the "Joint Intervenors") and to the separate motions by Newport Holding Inc./Kent Hoggan ("Hoggan") and by Performance Construction Inc., ("Performance Construction").

The Utilities do not oppose the intervention request filed on July 10, 2003 by the Joint Intervenors. In addition, the Utilities are willing to extend service to the Joint Intervenors' properties assuming an appropriate agreement can be negotiated between the Utilities and

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1 landowners, and further assuming issuance of an order of the Arizona Corporation Commission
2 extending the Utilities' respective CC&Ns. However, the Utilities' position is also predicated on
3 the assumption that the Joint Intervenors' intervention in the above-referenced dockets will not
4 cause any delay in the adjudication of the Utilities' pending Extension Application. In short, it
5 would not be fair to the other landowners subject to the Utilities' pending request if this
6 proceeding were delayed by intervention at this time.

7 Pursuant to A.A.C. R14-3-105, no application for leave to intervene shall be granted
8 whereby doing so the issues presented will be unduly broadened, except upon order of the
9 Commission. It is the Utilities' position that these proceedings would be unduly broadened if the
10 requested intervention were to delay adjudication of the existing application in any manner.
11 Notably, however, undersigned counsel has spoken with counsel for the Joint Intervenors and has
12 been assured that the Joint Intervenors have no intention of unduly broadening or otherwise
13 delaying these proceedings. Therefore, the Utilities do not oppose the requested intervention.

14 The Utilities are confused by the Hoggan and Performance Construction motions to
15 intervene. Specifically, it is the Utilities understanding that both Hoggan and Performance
16 Construction were granted leave to intervene in the above-captioned dockets on or about April 25,
17 2003. Therefore, it is unclear why Hoggan and Performance Construction are again moving for
18 leave to intervene.

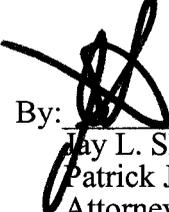
19 That said, the Utilities' position with respect to intervention by Hoggan and Performance
20 Construction is consistent with their position expressed above regarding intervention by the Joint
21 Intervenors, which is that the Utilities do not oppose intervention by Hoggan and Performance
22 Construction and are willing to extend service to their properties subject to the same assumptions
23 and concerns, including there being no delay in the processing of the Utilities' pending Extension
24 Application.

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DATED this 15th day of July 2003.

FENNEMORE CRAIG, P.C.



By: _____
Jay L. Shapiro
Patrick J. Black
Attorney for Palo Verde Utilities Company and
Santa Cruz Water Company

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foregoing delivered this 15th
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Docket Control
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1200 West Washington Street
Phoenix, Arizona 85007

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15th day of July, 2003 to:

Dwight D. Nodes
Assistant Chief Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

David Ronald
Staff Counsel
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

COPY mailed this
15th day of July, 2003 to:

Clare H. Abel, Esq.
Burch & Cracchiolo, P.A.
702 E. Osborn Rd.
Phoenix, AZ 85014
Attorneys for Intervenors HAM Maricopa, LLC,
Desert Cedars Equities, LLC and Land
Solutions Maricopa, LLC

1 Brent D. Butcher
President/Manager
2 Performance Construction Inc.
3975 Highland Dr., #6
3 Salt Lake City, UT 84124

4 Kent A. Hoggan
President
5 Newport Holding, Inc.
3799 E. Catamount Ridge Way
6 Sandy, UT 84092

7 By: Mary House
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