

ORIGINAL INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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2006 AUG 21 P 4: 30

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

AUG 21 2006

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IN THE MATTER OF THE APPLICATION OF ARIZONA WATER COMPANY TO EXTEND ITS EXISTING CERTIFICATE OF CONVENIENCE AND NECESSITY FOR ITS COOLIDGE SYSTEM, PINAL COUNTY, ARIZONA.

DOCKET NO. W-01445A-06-0317

MOTION TO INTERVENE OF WOODRUFF WATER COMPANY

Woodruff Water Company ("Woodruff") hereby moves the Arizona Corporation Commission ("Commission") for leave to intervene in the above-captioned proceeding pursuant to A.A.C. R14-3-105. This motion to intervene is supported by the following facts and information:

1. On May 4, 2006, Arizona Water Company ("AWC") filed with the Commission an application (the "Application") to extend its existing Certificate of Convenience and Necessity ("CC&N") for its Coolidge system in Pinal County, Arizona ("Extension Area"). The Extension Area is described in Exhibit 1 to the Application.

2. In a Procedural Order dated June 23, 2006, the Commission's administrative law judge ordered that motions to intervene be filed on or before August 21, 2006.

3. The Extension Area includes approximately 720 acres of real property owned by Cardon Hiatt (the "Cardon Hiatt Property") in Section 19, Township 5 South, Range 8 East, G&SRB&M.

4. On February 2, 2006, in Decision No. 68453, the Commission approved Woodruff's Application for a CC&N for an area that is contiguous to the Cardon Hiatt Property.

5. Woodruff opposes inclusion of the Cardon Hiatt Property. Woodruff is in discussions with Cardon Hiatt for water utility service to the Cardon Hiatt Property. If these

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1 discussions result in an agreement, Woodruff will immediately file an application to extend its
2 CC&N to serve the Cardon Hiatt Property.

3 6. Woodruff opposes the inclusion of the Cardon Hiatt Property in AWC's CC&N
4 on the grounds that: (i) inclusion of the Cardon Hiatt Property is not requested by the owners of
5 the property, and therefore, contrary to the public interest; (ii) Cardon Hiatt has initiated
6 discussions with Woodruff for inclusion in Woodruff's CC&N area; (iii) Woodruff is willing to
7 serve the Cardon Hiatt Property and (iv) prior to such time as Cardon Hiatt does develop the
8 Cardon Hiatt Property, Woodruff will have filed its application for a CC&N extension to provide
9 water service to the Cardon Hiatt Property.

10 7. On August 15, 2006, Cardon Hiatt filed a letter with Docket Control dated August
11 9, 2006, further explaining Cardon Hiatt's opposition to the inclusion of the Cardon Hiatt
12 Property in the Extension Area.

13 8. As the certificated water company currently in discussions with Cardon Hiatt and
14 contiguous to the Cardon Hiatt Property, Woodruff is directly and substantially affected by these
15 proceedings.

16 9. The granting of intervenor status to Woodruff will not unduly delay this
17 proceeding or cause the issues to be unduly broadened.

18 10. The name, address, telephone number and facsimile number of the representative
19 for Woodruff upon whom service of all documents is to be made are:

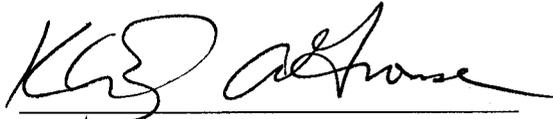
20 Jeffrey W. Crockett
21 Kimberly A. Grouse
22 SNELL & WILMER
23 One Arizona Center
24 Phoenix, AZ 85004-2202
25 Telephone: (602) 382-6234
26 Facsimile: (602) 382-6070

27 11. A copy of this motion to intervene is being sent via first class mail and electronic
28 mail to the attorneys for AWC at the address below.

WHEREFORE, Woodruff respectfully requests that the Commission grant its motion to
intervene in the above-captioned proceeding.

1 DATED this 21st day of August, 2006.

2 SNELL & WILMER

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5 Jeffrey W. Crockett
6 Kimberly A. Grouse
7 One Arizona Center
8 Phoenix, AZ 85004-2202
(602) 382-6234
Attorneys for Woodruff Water Company

9 ORIGINAL and thirteen (13) copies
10 filed with Docket Control this 21st
day of August, 2006.

11 COPY of the foregoing hand-delivered
12 this 21st day of August, 2006, to:

13 Yvette B. Kinsey, Chief Administrative Law Judge
14 Hearing Division
15 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
16 Phoenix, Arizona 85007

17 Christopher C. Kempley, Chief Counsel
18 Legal Division
19 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

20 Ernest G. Johnson, Director
21 Utilities Division
22 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

23 COPY of the foregoing sent via first class
24 mail and electronic mail this 21st day of
25 August, 2006, to:

26 Steven A. Hirsch, Esq. (sahirsch@bryancave.com)
27 Rodney W. Ott, Esq. (rwott@bryancave.com)
28 BRYAN CAVE LLP
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