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September 1, 2006

AZ CORP COMMISSION  
DOCUMENT CONTROL

**HAND DELIVERED**

Ms. Blessing N. Chukwu  
Executive Consultant III  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

Arizona Corporation Commission  
**DOCKETED**

SEP 01 2006

DOCKETED BY	<i>lone</i>	<i>WCU</i>
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David M. Ronald, Esq.  
Arizona Corporation Commission  
Legal Division  
1200 West Washington  
Phoenix, AZ 85007

Re: Green Acres Water Company, LLC and Green Acres Sewer Company, LLC -  
Docket Nos. W-20430A-05-0839 and SW-20431A-05-0840

Dear Ms. Chukwu and Mr. Ronald:

Enclosed are the Town of Buckeye's Responses to the data requests submitted by Staff on June 30, 2006.

Very truly yours,

LEWIS AND ROCA LLP

Michael T. Hallam

MTH/bjg  
Enclosure

cc: Docket Control  
Beth Heath

**BEFORE THE ARIZONA CORPORATION COMMISSION**

**JEFF HATCH-MILLER**  
Chairman

**WILLIAM MUNDELL**  
Commissioner

**MIKE GLEASON**  
Commissioner

**KRISTIN K. MAYES**  
Commissioner

**BARRY WONG**  
Commissioner

IN THE MATTER OF THE APPLICATION )  
OF GREEN ACRES WATER, L.L.C. FOR )  
APPROVAL OF A CERTIFICATE OF )  
CONVENIENCE AND NECESSITY TO )  
PROVIDE WATER SERVICE. )  
\_\_\_\_\_ )

Docket No. W-20431A-05-0839

IN THE MATTER OF THE APPLICATION OF )  
GREEN ACRES SEWER, L.L.C. FOR )  
APPROVAL OF A CERTIFICATE OF )  
CONVENIENCE AND NECESSITY TO )  
PROVIDE SEWER SERVICE. )  
\_\_\_\_\_ )

Docket No. SW-20431A-05-0840

**TOWN OF BUCKEYE'S**  
**RESPONSES TO**  
**ARIZONA CORPORATION COMMISSION STAFF'S**  
**FIRST SET OF DATA REQUESTS**

The Town of Buckeye (the "Town") submits the following responses to the Arizona Corporation Commission Staff's ("Staff") First Set of Data Requests in the above-referenced docket. The Town expressly reserves the right to supplement or amend its responses as necessary.

**SPECIFIC DATA RESPONSES**

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**Staff Request for Information**

1. Please confirm whether or not the requested area is within the corporate town limits of the Town of Buckeye.

**RESPONSE**

The requested area is partially within the corporate town limits of the Town of Buckeye. This was affirmed by the applicant in the Ladera development's application before the Maricopa County, Planning and Development Department for approval of a Development Master Plan (DMP 2006005, dated March 27, 2006), wherein it is states in Section 2.5, Municipal Boundaries, on page 8: "portion of the Ladera DMP totaling about 60 acres falls within the Town of Buckeye."

For the specific areas with the corporate town limits of the Town of Buckeye, please refer to the information provided in response to Question 2 below.

2. If a portion of the requested area is within the Town limits, please provide a legal description of the area or identify the Parcels that are within the town limits. Please be sure to include the Section Numbers, Townships, and Range.

RESPONSE

Portions of the requested area that are within the corporate limits of the Town of Buckeye include the following:

Parcel 5 located in section 33, Township 2 South, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona

Parcel 6 located portion in Section 32 and portion on Section 33, Township 2 South, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

3. If a portion of the requested area is within the Municipal Planning Area of the Town of Buckeye, please provide a legal description of the area or identify the Parcels that are within the Municipal Planning Area of the Town of Buckeye. Please be sure to include the Section Numbers, Townships, and Range.

RESPONSE

All of the remaining portions of the requested area are within the Town Planning Limits and include the following:

Parcel 4, located in Section 26, Township 2 South, Range 4 West of the Gila & Salt River Meridian, Maricopa County, Arizona.

Parcel 10, 11, 12, 13, 14 all located in Section 28, Township 2 South, Range 4 West of the Gila & Salt River Meridian, Maricopa County, Arizona

Parcel 19 located in Section 31, Township 2 South, Range 4 West of the Gila & Salt River Meridian, Maricopa County, Arizona

Parcel 7, 8, 18, 17, all located in Section 32, Township 2 South, Range 4 West of the Gila & Salt River Meridian, Maricopa County, Arizona

Parcel 6 located in the South East Quarter of the South East Quarter of Section 32, the South West Quarter of the South West Quarter of Section 33, all in Township 2 South, Range 4 West of the Gila & Salt River Meridian, Maricopa County, Arizona

Parcel 5, 9, 16 all located in Section 33, Township 2 South, Range 4 West of the Gila & Salt River Meridian, Maricopa County, Arizona

Parcel 23, the West Half of the South West Quarter of the South East Quarter of Section 36 (diagonally South of HWY 80) Township 2 South, Range 5 West of the Gila & Salt River Meridian, Maricopa County, Arizona

Parcel 1, 2, 20 all located in Section 6, Township 3 South, Range 4 West of the Gila & Salt River Meridian, Maricopa County, Arizona

Parcel 21, 22 all located in Section 5, Township 5 South, Range 4 West of the Gila & Salt River Meridian, Maricopa County, Arizona

Parcel 15 located in  
The South West Quarter of the South West Quarter of Section 28;  
And the South East Quarter of the South West Quarter of Section 29;  
And the South Half of the South East Quarter of Section 29

The East Half of the North East Quarter of Section 31;  
The North West Quarter of the North West Quarter of Section 32;  
And the South West Quarter of the Northwest Quarter of Section 32;  
And the North East Quarter of the North West Quarter of Section 32

All in Township 2 South Range 4 West of the Gila and Salt River Base Meridian,  
Maricopa County, Arizona

Parcel 3 The approximate Southwest Triangular area of the Southeast Quarter of Section 1  
in Township 3 South Range 5 West of the Gila and Salt River Base Meridian, Maricopa  
County, Arizona; that diagonal line running Northwest to Southeast and encompassing the  
area South and West of said line within Southeast Quarter of said Section 1.

All of the North Half of the Northwest Quarter of Section 1 in Township 3 South Range 5  
West of the Gila and Salt River Base Meridian, except the approximate Northeast  
triangular area of the Northeast Quarter of the Northwest Quarter of Section 1; that  
diagonal line running Northwest to Southeast and Encompassing the area north and East of  
said line within the Northwest Quarter of Section 1.

4. For the area that is within the Municipal Planning Area of the Town of Buckeye, please provide the timetable or timeline for the Town of Buckeye to annex the area.

RESPONSE

The timetable or timeline is usually dependent on the timing needed by landowners to develop projects within the planning area. Upon a request by a landowner for annexation, the administrative process timeline is a minimum of 100 days based on public notice periods required by Arizona statutes.

5. Does the Town of Buckeye currently provide water and wastewater services within its Town limits or are water and wastewater services being provided under contract by a public service company? Please explain.

RESPONSE

The Town of Buckeye currently provides water and wastewater services within its Town limits.

Three private utility companies also provide water services within the Town limits. One private utility provides sewer and water service. Further information related to these private utilities is provided in the answer to Question 8.

No public service or private utility company is under contract with the Town to provide water and wastewater services.

6. Does the Town of Buckeye currently provide water and wastewater services outside the Town limits? Please explain.

RESPONSE

The Town has provided water services since 1960 to a few small businesses that exist in county islands. In addition, the Town provides water services to a county island of large-lot existing residential homes where the public water utility, due to financial hardship, surrendered the service area to the Town.

No wastewater services are provided outside of the incorporated limits of the Town, although a small number of exceptions may exist for residential homes and businesses located in county islands.

Water and sewer services, as a matter of practice and policy by the Town, are usually a condition of development agreements associated with annexation.

It is not the current practice of the Town to provide water and sewer services outside of its incorporated boundary. The Town expects, however, that the areas requested in the Applicant's CC&N application will be annexed by the Town and will not be outside of the Town's boundaries.

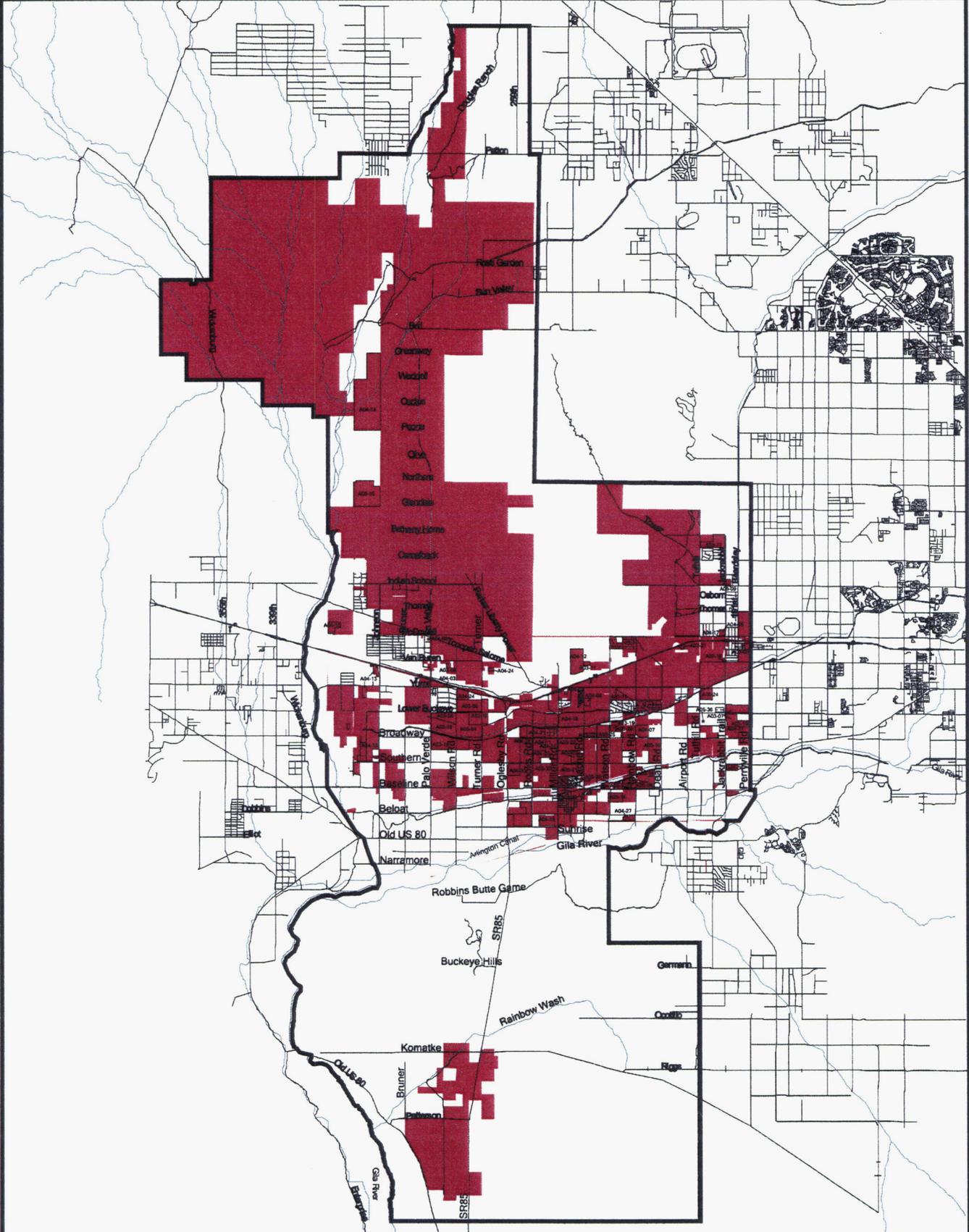
7. Please provide a map that depicts the Town's water and wastewater service territory.

RESPONSE

The Town's water and wastewater service territory is the same as its incorporated boundaries (or Town limits), with the exception of the areas where the Town provides water service to a few small businesses and county island residents in the service area of a failing public water utility.

A map of the incorporated boundaries of the Town is attached.

**MUNICIPAL PLANNING AREA OF THE TOWN OF BUCKEYE  
ADOPTED NOVEMBER 19, 1996  
REVISED NOVEMBER, 2005**



-  Municipal Planning Boundary
-  Streets
-  Rivers & Streams
-  Current Buckeye Annexations



REVISIONS:	
07/02/02	BJC
02/10/03	JFM



Prepared for the Town of Buckeye  
by Community Sciences Corporation

8. Are there any public service companies that provide water and/or wastewater service within the Municipal Planning area of the Town of Buckeye? If so, please provide the names of the companies and the service(s) provided.

RESPONSE

Within the Municipal Planning Area (MPA) of the Town of Buckeye, there are several small county islands and several annexed areas in which water services only are provided by a public service company.

Western Maricopa Combine, Arizona Water Company, and Arizona-American Water Company are the names of the public service companies serving water in the MPA.

One of the water service areas of Western Maricopa Combine in the Town's MPA is currently under condemnation proceedings. This condemnation was initiated by the Town to reduce the fractionation of sewer and water services in this area and to allow for a regional system of services by the Town that would otherwise be divided by this service area.

Arizona-American Water Company is the only public service company providing sewer services for a limited annexed area within the MPA.

The Arizona-American Water Company service area was reduced recently, at the developer's/utility's request, so the Town could provide water and sewer services to supporting commercial and industrial projects on the fringes of this area.

9. Please provide a map that depicts the area that is covered by the Town's MAG 208. Please be sure to include the Section Numbers, Township, and Range. In the alternative, please provide the legal description of the area that is covered by the Town's MAG 208.

#### RESPONSE

The Maricopa County Association of Governments (MAG) regional planning, in accordance with Federal and State requirements and Section 208 of the federal Clean Water Act, is a process that approves the location, size and area-of-service for new sewage treatment facilities.

There is not a singular "Town's MAG 208" area for which a description can be provided.

However, the Town is currently constructing for submittal to MAG the location of sewage treatment facilities that will serve the entire Municipal Planning Area of the Town. This submittal shall include the location of existing sewage treatment facilities, planned/approved facilities and their respective service areas. It will also include the location of new sewage treatment facilities.

A preliminary map that locates the existing, planned/approved and new sewage treatment facilities for the Town's planning area is attached; however the exact location of new sewage treatment facilities and service areas are still under evaluation as part of the overall submission to MAG for approval.

This attached map includes the proposed location of the Town's new sewage treatment facility that would cover the service area requested by the applicant for Green Acres/Ladera, as well as the service areas of other developments in this area who have expressed the intent to obtain sewer service from the Town as part of annexation.

