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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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SEP 19 2006

BARRY WONG  
COMMISSIONER

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ARIZONA CORP. COMM  
400 W CONGRESS STE 218 TUCSON AZ 85701

MIKE GLEASON  
COMMISSIONER

IN THE MATTER OF THE APPLICATION  
FOR APPROVAL OF TRANSFER OF  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY FOR JANICE E. WORDEN  
AND LAWRENCE A. WORDEN d/b/a  
WORDEN WATER COMPANY

) Docket No. W-02221A-05-0505  
) and  
) Docket No. W-20391A-05-0505

) **RESPONSE TO 08/31/06 STAFF  
) REPORT**

Lawrence and Janice Worden inherited the assets of the Worden Water Company from their father, and have continued to serve the twenty to twenty-five customers that receive water from this very rural system. The operation generates gross revenues of something close of \$12,500 per year, of which the great majority is spent to keep the system up and running.

Upon a review of the system capacity, Pima County DEQ officials requested Mr. Worden to increase the reservoir capacity to 7,000 gallons, and install two separate 3 horsepower booster pumps. Mr. Worden approached a number of engineering firms in southern Arizona seeking their assistance in designing such a system, but found that all but one of the firms he contacted were not interested in a project this small, and the one firm that was willing to work with him proposed a design fee of \$49,000. Consequently, Mr. Worden asked Pima County DEQ what the parameters were for designing the system

1 himself, and found that the Worden Water Company could embark upon improvements of  
2 \$12,500 or less without a certification from a registered engineer.

3       Following Pima County's guidance, Mr. Worden designed, and Pima County  
4 approved (see attached correspondence dated July 8, 2006), drawings for two 5,400 gallon  
5 storage tanks, including two 3 horsepower booster pumps. Mr. Worden wishes to point  
6 out that a follow up letter from Pima County DEQ, which referred to "a 5,400 gallon tank"  
7 as opposed to two 5,400 gallon storage tanks, appears to be a typographical error. The  
8 Worden Water Company proposes to construct 10,800 gallons of storage in the time  
9 period proposed in the Commission's Staff Report. This will provide the utility with  
10 approximately 64.8% more storage than is required from a regulatory standpoint, to the  
11 understanding of the Wordens.

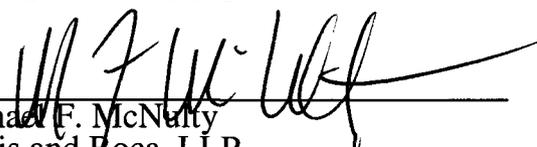
12       The ramifications of the requirements set forth in the Staff Report would impact  
13 significantly on the financial status of the Worden Company. The improvements proposed  
14 and approved by Pima County will, by themselves, deplete all of the cash assets that the  
15 company has at this time. Those plans can be implemented and constructed for a total cost  
16 of \$12,210.86, pursuant to a contract that the water company wishes to enter into,  
17 requiring a down payment of \$8,718.00, with the work to begin around the first of January  
18 2007.

19       Mr. Worden has inquired into the costs of a new well and pump, and was informed  
20 that the minimum cost would be at least \$20,000.00, plus another \$10,000.00 for testing  
21 the water quality. And because the costs of these improvements would exceed \$12,500,  
22 the utility would need to engage the services of a registered engineer to be in compliance  
23 with DEQ regulations, meaning that the total costs would be truly prohibitive for a  
24 business that nets but a couple thousand dollars per year.

25       In closing, due to the limited funds available to the water company, the Wordens  
26 feel that they must object to the requirements of Staff Recommendations Nos. 2 and 3, as

1 beyond the ability of this microscopic water company. The Wordens are fully prepared to  
2 add 10,800 gallons of storage within the next twelve months, and would be willing to add  
3 an additional 10,800 gallons within 36 months thereafter.

4 RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of September, 2006.

5 LEWIS AND ROCA  
6   
7 Michael F. McNulty  
8 Lewis and Roca, LLP  
9 One South Church Avenue, Suite 700  
Tucson, Arizona 85701-1611  
520-629-4453

10 Attorneys for Worden Water Company

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LEWIS  
AND  
ROCA  
LLP

L A W Y E R S

1 ORIGINAL AND thirteen (13) copies  
2 of the foregoing hand-delivered via DHL  
3 this 15th day of September, 2006, to:

4 Arizona Corporation Commission  
5 Utilities Division – Docket Control  
6 1200 W. Washington Street  
7 Phoenix, Arizona 85007

8 COPY of the foregoing delivered via U.S. Mail  
9 this 15th day of September, 2006, to:

10 Ms. Janice E. Worden  
11 Worden Water Company  
12 15150 West Ajo, #567  
13 Tucson, AZ 85735

14 Mr. Lawrence A. Worden  
15 Worden Water Company  
16 15150 West Ajo, #568  
17 Tucson, AZ 85735

18 Mr. Lawrence A. Worden  
19 Worden Water Company  
20 269 Englewood  
21 Twin Lake, MI 49457

22  
23  
24  
25  
26  
By:



Hope I. Bracken  
Secretary to Michael F. McNulty

**ATTACHMENT**  
WORDEN WATER COMPANY



DEPARTMENT OF ENVIRONMENTAL QUALITY

150 West Congress Street  
Tucson, Arizona 85701-1317

Ursula Kramer  
Director

(520) 740-3369  
FAX (520) 882-7709

July 8, 2006

Lawrence A. Worden  
Worden Water Company  
15150 W. Ajo Way, #568  
Tucson, Arizona 85735

RE: Addition of a 5400 gallon poly storage tank and two 3-HP booster pumps  
T-15-S, R-10-E, Section 29, PDEQ Project No. PX46806

Dear Mr. Worden:

PDEQ has examined the plan and cost estimate for the above referenced project as you have requested. Pursuant to Arizona Revised Statute §49-353(A)(2)(c) and Arizona Administrative Code R18-5-505(B), and the project is exempt from the plan approval requirements.

Please be advised that projects exempted from plan review requirements must still adhere to the minimum design criteria specified in A.A.C. R18-4-502 and ADEQ Engineering Bulletin 10.

Please also be advised that, pursuant to R18-4-505.B.3.b.i., if this project is to supply water to a subdivision requiring plat approval by a city, town, or county, then exemption from plan review is not possible. Please review this project for conformance with this provision. If this project is a subdivision requiring plat approval, a Certificate of Approval To Construct is necessary.

If this project includes trenching, land stripping, earthmoving or road construction, an air quality activity permit may be required pursuant to P. C. C. Title 17, 12, 470. For inquiries regarding air quality activity permits, please call 740-3957.

If you have any questions, please contact Mike Redmond at 740-3358.

Sincerely,

Mike Redmond, R.S.  
Water/Waste Program Manager

Cc: Richard Grimaldi, Deputy Director, PDEQ

To: Mr Michael Redmond  
Engineer  
Pima Co Dept of Enviornmental Quality

From: Lawrence A Worden  
Co-Owner  
Worden Water Co  
15150 W Ajo Way #568  
Tucson, AZ 85735

JUN 21 2006  
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Re: Complaint #PC0104-101 - ie, Water Storage

Dear Mr Redmond,

As per our conversation of June 6. Attached are our proposed plans, estimates and a check for the sum of fifty dollars, ie permit fee to Pima Co. All of which hopefully will bring our company into compliance.

In order to accomplish the project with the available funds at our disposal, we are asking for an exemption under A.A.C. R18-5-502 for Poly Storage Tanks.

My Sister and I would like to take this opportunity to Thank You and your Department for all of the help and consideration that you have given us.

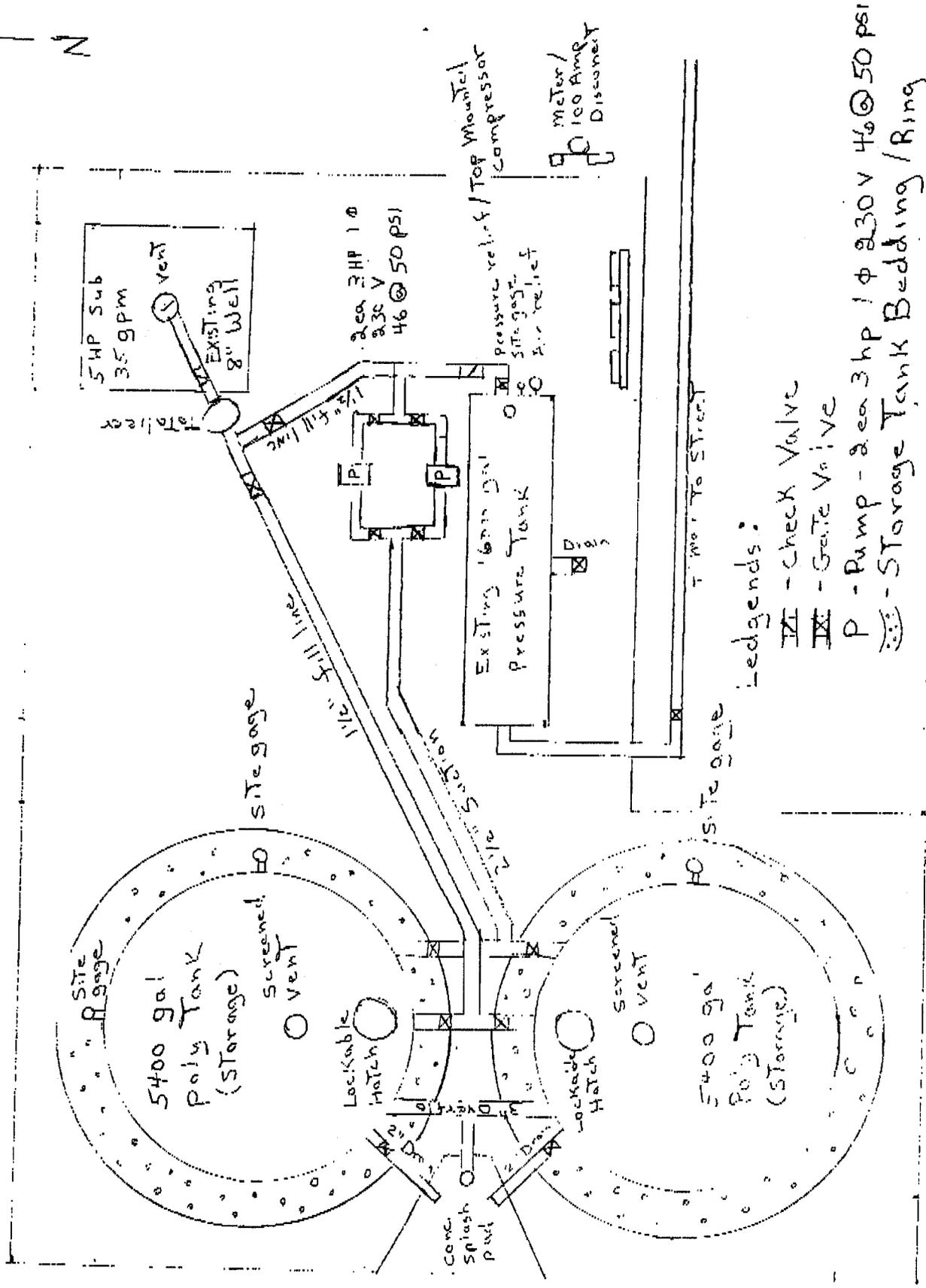
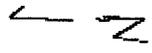
Sincerely Yours



Lawrence A Worden

PS: My Az Ph # is 520 822-5038 and My MI # is 231-894-5957

Water System  
 Warden Water Co  
 8400 S. Warden Rd  
 Three Points, AZ  
 Sec 29-15-10  
 Pima Co, AZ  
 Public ID#  
 0-13A

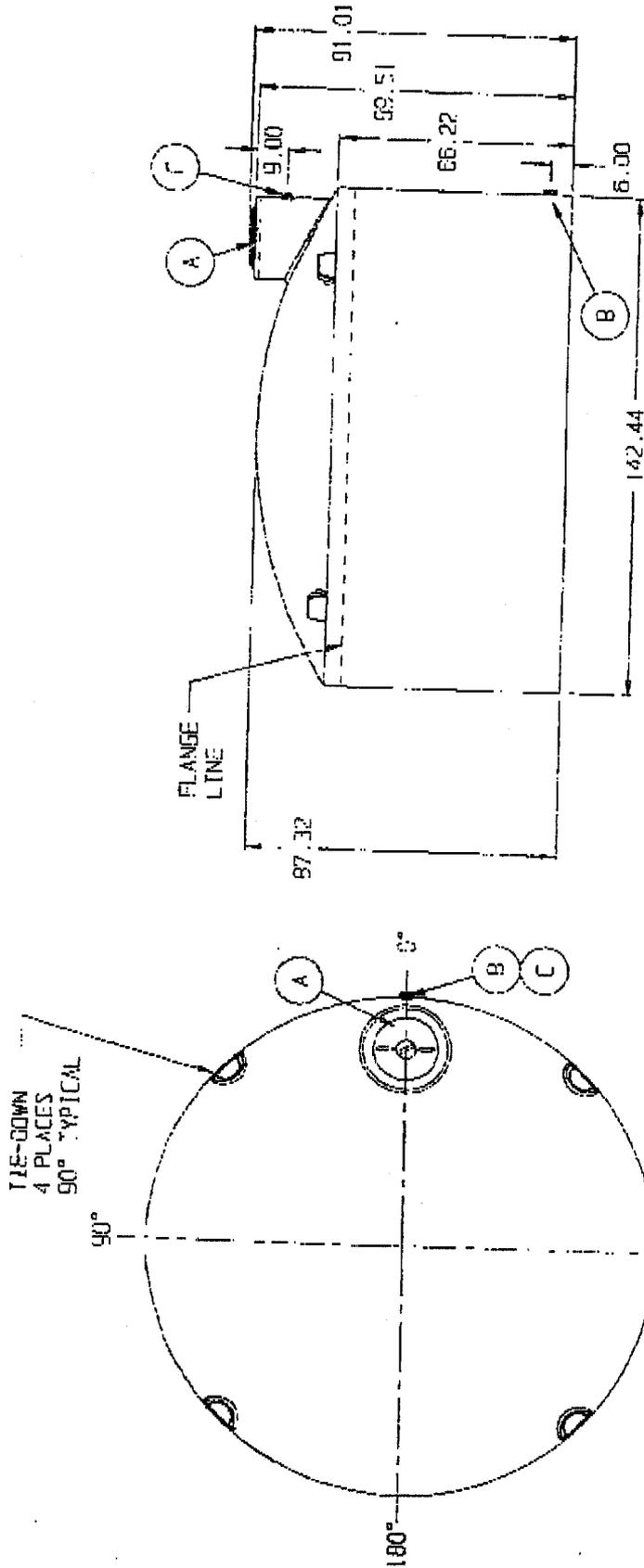


Legends:

- ⏏ - Check Valve
- ⏏ - Gate Valve
- P - Pump - 2 ea 3 hp 1 φ 230V 46 @ 50 PSI
- ⊙ - Storage Tank Bedding / Ring

Note: All Material will meet NSF Requirements  
 Respectfully Submitted, *Laurence A. Warden*  
 June 20, 2006

# SNYDER INDUSTRIES INC.



- A. 1/8" PE THREADED-VENTED MANWAY W/15" ACCESS (P/N 343012)
- B. 2" PP 5/8" FLANGED BOLTED FTG W/EPDM GASKETS & SS BOLTS (P/N 341103)
- C. 1-1/2" PE THREADED BH FTG W/EPDM GASKET (P/N 340004)

PLEASE FITTINGS TO BE LEFT INSTALLED AT TIME OF SHIPMENT PER SIT PROJECT/RISE

(All dimensions in inches)

PART # TANK: 117000200009H  
 POLY/PE/PP/EPDM/WATER  
 MFG #: 0300 01/21/00

5,400 GALLON DARK OLIVE GREEN WATER TANK



**WISE PUMP & TANK SERVICE**  
 208 E. DELANO  
 TUCSON, AZ 85706  
 (520) 882-8288  
 ROUTE 108058 + 108068

PROPOSAL NO.
SHEET NO.
DATE <b>6-21-06</b>

PROPOSAL SUBMITTED TO

WORK TO BE PERFORMED AT:

NAME <b>WARDEN WATER</b> <i>90 Harry Warden</i>
ADDRESS <b>Highway 15150 W Ave</b> <i>Tucson Ariz. 85735 #508</i>
PHONE NO. <b>822-5038</b>

<b>GRANUEL</b> Install 2-5400 Gal. Poly Tanks ON BASE WITH Retaining Rings - Install 2-3HP. Booster Pumps = 46 G.P.M. EA. - WITH A.I.R. CHARG. SYSTEM + LOW LEVEL SHUT-OFF PROTECTION
--

We hereby propose to furnish the materials and perform the labor necessary for the completion of

2-5400 Gallon Poly Storage Tanks = 87"H x 144" Dia. @ 2691 <sup>00</sup> EA =	5382 <sup>00</sup>
2-3HP. 230V. 1Ø Centrifugal Boosters @ 730 <sup>00</sup> EA =	1460 <sup>00</sup>
1-24" x 48" Steel Electrical Panel Board (cemented)	= 160 <sup>00</sup>
3-30 AMP 230V. 2 Pole Disconnects R7 @ 78 <sup>00</sup> EA =	234 <sup>00</sup>
3-30 AMP 2 Pole 230V. Contactors @ 374 <sup>00</sup> EA =	1122 <sup>00</sup>
3- IN TANK FLOAT SWITCHES = 2" Low Level Protection @ 76 <sup>00</sup> EA =	228 <sup>00</sup>
MISC PLUMBING = 1/2" Fill Line - Bridge Line - Suction Line - Overflow Line - CHECK VALVES - GATE VALVES - A.I.R. RELIEF VALVE - PRESSURE RELIEF VALVE - GUNSES - PIPE - NIPPLES - UNIONS - TEES - 90° ELBS - SIGHT GLASS ASSY - TARGET LEVEL - Locking Hasp MANNING + ECT. =	1900 <sup>00</sup>
1-A.I.R. CHARGER = MECHANICAL = 6" x 30" x 2 1/2" x 2 1/2" x 3 1/2"	= 300 <sup>00</sup>
MISC ELECTRICAL = CONDUIT - WIRE - J-BOXES - FUSES - PRESSURE SWITCHES - BREAKER - Flex Conduit - CONNECTORS + ECT. =	450 <sup>00</sup>
Labor = Pig + 2 men @ 80 <sup>00</sup> HR x 8 HRS = 640 <sup>00</sup>	MATERIALS = 9726 <sup>00</sup>
Labor = SEAV. TRK + 2 men @ 65 <sup>00</sup> HR x 2.0 HRS = 1300 <sup>00</sup>	TAX = 544 <sup>00</sup>

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

Twelve Thousand - Two Hundred + Ten + 86<sup>00</sup> Dollars (\$ 12,210<sup>86</sup>)  
 with payments to be made as follows. LESS DEPOSIT REC'D 3-3-04 = CHK# 1413 8,718<sup>00</sup>  
 Balance = 3,492<sup>86</sup>

Respectfully submitted James T. Quinn

Per \_\_\_\_\_

Note — This proposal may be withdrawn by us if not accepted within 30 days.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

**ACCEPTANCE OF PROPOSAL**

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_