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Arizona Corporation Commission

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BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE
APPLICATION OF H2O, INC., FOR AN
EXTENSION OF ITS EXISTING
CERTIFICATE OF CONVENIENCE
AND NECESSITY.

DOCKET NO. W-02234A-00-0371

IN THE MATTER OF THE
APPLICATION OF JOHNSON
UTILITIES, L.L.C., DBA JOHNSON
UTILITIES COMPANY FOR AN
EXTENSION FOR ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY
TO PROVIDE WATER AND
WASTEWATER SERVICE TO THE
PUBLIC IN THE DESCRIBED AREA IN
PINAL COUNTY, ARIZONA

DOCKET NO. WS-02987A-99-0583
DOCKET NO. WS-02987A-00-0618

IN THE MATTER OF THE
APPLICATION OF DIVERSIFIED
WATER UTILITIES, INC. TO EXTEND
ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY.

DOCKET NO. W-02859A-00-0774

IN THE MATTER OF THE
APPLICATION OF QUEEN CREEK
WATER COMPANY TO EXTEND ITS
CERTIFICATE OF CONVENIENCE
AND NECESSITY

DOCKET NO. W-01395A-00-0784

NOTICE OF FILING TESTIMONY

Pursuant to the Procedural Order dated October, 16, 2000, the owners of Skyline Ranch, Intervenors in this case, give notice that they are filing the testimony of David LeSueur and M. Ross Layton. That testimony is attached to this notice. Intervenors reserve the right to supplement or amend this testimony in the future.

1 DATED this 9th day of January, 2001.

2
3 Salmon, Lewis & Weldon, P.L.C.

4
5 By 
6 Richard N. Morrison
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10 Attorneys for LeSueur Investments I, LLC, et al

11 An ORIGINAL and ten copies
12 of the foregoing delivered this
13 9th day of January, 2001, to:

14 Docketing Supervisor
15 Docket Control
16 Arizona Corporation Commission
17 1200 West Washington Street
18 Phoenix, Arizona 85007

19 A COPY of the foregoing
20 was delivered this 9th day
21 of January, 2001 to:

22 Teena Wolfe
23 Legal Division
24 Arizona Corporation Commission
25 1200 West Washington Street
26 Phoenix, Arizona 85007

27 Karen Nally, Hearing Officer
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A COPY of the foregoing was
mailed this 9th day of
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PRE-FILED TESTIMONY OF DAVID LESUEUR ON BEHALF OF THE OWNERS
OF SKYLINE RANCH

Q: What is your name?

A: David LeSueur.

Q: What is your interest in this proceeding?

A: I am an owner of Skyline Ranch.

Q: How did you originally become involved in this proceeding?

A: The owners of Skyline Ranch were searching for a Utility company to provide both Water and Wastewater services to the property. The owners were introduced to and began negotiations with Johnson Utilities to provide the needed services.

Q: Where is your property located?

A: Johnson Utilities' application refers to Skyline Ranch as Parcel 5. The application correctly describes our property as a parcel of land being a portion of Section 12, Township 3 South, Range 7 East and a portion of Section 7, Township 3 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as (1) all of said Section 12 lying North and East of the Hunt Highway Right of Way except the north 1320 feet of the West 1320 feet lying North and East of Hunt Highway; and (2) the west half of said Section 7, except the Hunt Highway Right-of-Way.

Q: How large is the property?

A: The property consists of approximately 532 acres.

Q: When developed, approximately how many units do you expect will fill the property?

A: The property is expected to contain approximately 1785 units at build out.

Q: Do you speak for the other owners of the property?

A: Yes.

Q: Did you originally request service from Johnson Utilities?

A: Yes.

Q: You have now revoked that request, correct?

A: Yes.

Q: Why?

A: Negotiations between the owners of Skyline Ranch and Johnson Utilities have been unsuccessful and have terminated. The owners are planning to form a county improvement district to provide the needed services to the property.

PRE-FILED TESTIMONY OF M. ROSS LAYTON AS AN OWNER OF SKYLINE
RANCH

Q: What is your name?

A: M. Ross Layton.

Q: What is your interest in this proceeding?

A: I am an owner of Skyline Ranch.

Q: Do you have any further comments you wish to make?

A: I agree with and support the testimony of David LeSueur.

Q: Are you aware that H2O, Inc. has amended its application to include Skyline Ranch in its expanded certificated area?

A: Yes.

Q: Have you ever requested that H2O, Inc. serve water to your property?

A: No.

Q: Have you requested that any other private water or sewer company serve your property?

A: Yes. At one time we had requested services from Queen Creek Water.

Q: Are you aware of the consequences if the county does not grant permission for a county improvement district?

A: Yes, the owners have weighed all of the options and are willing to take the risk.

Q: Do you have any further comments you wish to make?

A: The owners of Skyline Ranch are united in their belief that the best utility services for their property and for the future homes that will be built upon the property is through a county improvement district. For this reason, the owners do not want service from any private water and sewer company.