

ORIGINAL

JOHNSON UTILITIES, L.L



5230 East Shea Boulevard * Scottsdale, Arizona 8525
PH: (480) 998-3300; FAX: (480) 483-7908

50

Arizona Corporation Commission
DOCKETED

January 10, 2007

JAN 10 2007

Mr. Brian Bozzo
Compliance Section
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

DOCKETED BY	nr
-------------	----

RE: Johnson Utilities, L.L.C.: Compliance with Decision No. 68235
RE: Quarterly Reports on the status of the pending La Osa and Sonoran litigation
WS-02987A-05-0088

Dear Mr. Bozzo:

Pursuant to the above referenced decision, Johnson Utilities hereby submits this compliance filing in accordance with the Commission's orders. Attached is the quarterly report on the La Osa litigation hereto as Attachment 1. As previously stated the Sonoran litigation has been settled with all Johnson defendants and this matter is closed.

If staff would like to see any of the court documents listed on the summary or would like any additional information in regards to this compliance item, please let me know and it will be provided. Thank you for your time and consideration in this matter.

Sincerely,

Daniel Hodges
Johnson Utilities, LLC

Cc: Docket Control (1 original, 13 copies)
Richard Sallquist, Sallquist, Drummond & O'Connor

AZ CORP COMMISSION
DOCUMENT CONTROL

2007 JAN 10 P 2:24

RECEIVED

ATTACHMENT 1

Status Report for State of Arizona v. Johnson et al., CV2005-002692
October 9, 2006 – January 9, 2007

Depositions: Depositions taken in this case from October 9, 2006 through November 29, 2006 were:

10/17/06	Robert Hartsel Lemons
10/23/06	Joel Dean Weiss
10/25/06	Mariano Lanza
10/26/06 Vol. 1	Michael Traubert
11/16/06 Vol. 2	Michael Traubert
11/20/06 Vol. 3	Michael Traubert
11/7/06	Brian Wakeling
11/8/06	Joan Scott
11/21/06	Gerry Perry
11/29/06	David Michael Conrad
11/29/06	Ronald Beckwith

Court Dates: The parties appeared before Judge Kenneth Fields on January 9, 2007 for an Interim Pretrial Management Conference.

Pending Motions: The following motions are pending:

Defendants' Motion for Summary Judgment regarding Plaintiffs' Clean Water Act Claims (Counts Six and Ten). On October 6, 2006 the Court granted Defendants' Motion for Leave to File a Motion for Summary Judgment on Counts Six and Ten. The parties have agreed to shelve the Motion for Summary Judgment pending the outcome of the United States Supreme Court's review of *Defenders of Wildlife v. Environmental Protection Agency*, 420 F.2d 946 (9th Cir. 2005).