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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

APR 25 2007

Attorneys for Balterra Sewer Corp.

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BEFORE THE ARIZONA CORPORATION COMMISSION

8 IN THE MATTER OF THE APPLICATION
9 OF BALTERRA SEWER CORP. FOR A
10 CERTIFICATE OF CONVENIENCE AND
11 NECESSITY TO PROVIDE WASTEWATER
SERVICE IN MARICOPA COUNTY,
ARIZONA.

DOCKET NO. SW-20403A-05-0586

**NOTICE OF FILING SUPPLEMENTAL
INFORMATION**

12 Balterra Sewer Corp. ("Balterra") hereby files this Notice of Filing Supplemental
13 Information in support of its Motion to Extend Time to Comply with Certain Filing Requirements
14 Set Forth in Decision No. 68742. The supplemental filing contains information relative to the
15 development timeline for the Balterra Master Planned Community ("Development") owned by
16 Fronterra Village, LLC, and is supported by the affidavit of Mr. Keith Watkins, Vice-President of
17 Fronterra Village, LLC ("Fronterra"), attached hereto as **Exhibit 1**. In addition, this filing
18 contains information relative to the status of construction planning of wastewater infrastructure
19 for Balterra.

20 The current schedule for the Development includes many phases of planning, rezoning,
21 preliminary platting and final platting prior to construction. The following schedule includes
22 target deadlines for permitting and construction of both water¹ and wastewater infrastructure.

23 1. A Rezoning Application has been prepared and was submitted by Fronterra to the

24 _____
25 ¹ Water Utility of Greater Tonopah filed an application with the Commission for an extension of its certificate of
26 convenience and necessity ("CC&N") to include the entire Development over a year ago, and has still not met the
sufficiency requirements set forth by Staff. Docket No. W-02450A-06-0253. Delay in moving forward is (in part)
attributable to the status of WUGT's application.

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Maricopa County Planning and Development Department in December, 2005. The Technical Advisory Committee held a review session with the Fronterra planning staff and provided several comments to the proposed application. A significant comment related specifically to the proposed *Draft Regional Transportation Plan 2007 Update* that is now available through Maricopa Association of Governments (“MAG”). The proposed roadway alignment requires coordination between MAG, MCDOT and ADOT, which is anticipated to take 3 to 4 months to complete. The current schedule estimates that the zoning application will receive positive staff recommendation and will be available for presentation to the Maricopa County Planning & Zoning Board in September 2007, and the Maricopa County Board of Supervisors in October 2007.

2. Upon approval, preparation for preliminary platting can begin, and then submitted to the Maricopa County Planning and Development Department in late 2007, or early 2008.
3. Final design of construction documents for major infrastructure roads, drainage, water and wastewater will begin in the Spring of 2008, and Fronterra anticipates receiving an approval to construct in the Fall of 2008.
4. Arizona Corporation Commission (“Commission”) approval of WUGT’s water CC&N extension for east 480 acres. WUGT’s application was first submitted to the Commission on April 14, 2006, but subsequently has received three letters of insufficiency. Under Fronterra’s schedule, the application was anticipated to receive approval by November 2007.
5. Water Supply Facility Site Special Use Permit – the Maricopa County Board of Supervisors approved this permit on February 7, 2007.
6. The Tonopah Potable Water Master Plan was submitted to the Maricopa County Environmental Services Department (“MCESD”) in July 2006. It received a

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review and comments, and the second submittal will be made on May 18, 2007. Approval is anticipated by August 2007.

7. All potable water well designs require MCESD approval by July 2007.
8. A second Well Site Plan approval requires a well spacing analysis report and WUGT approval by August 2007.
9. The Arizona Department of Water Resources (“ADWR”) well registration (two wells are required for first phase of the Development) has been made. The first well needs to be constructed, tested and approved by January 2008.
10. The Initial Notice of Intent to Establish a New Service Area (NOI) application is scheduled to be submitted by November 2007.
11. Capacity Development Approval. ADEQ must review the Elementary Business Plan for the community systems’ financial and technical capacity, and approval is expected by March 2008.
12. A New Drinking Water Source Approval application, which includes a chemical analysis of all regulated contaminants in the source water, will be submitted with a targeted approval date by March 2008.
13. Design and Approval to Construct water supply facilities, and possibly water treatment facility, is targeted for approval by March 2008.
14. Preliminary Plat and Balterra Water Master Plan is targeted for approval by April 2008.
15. Certificate of Assured Water Supply (“CAWS”).
 - a. An Analysis of Assured Water Supply Application was submitted to ADWR in December 2004;
 - b. Fronterra received an Availability Notice from ADWR of 3,057 Ac-Ft of groundwater on March 1, 2005; and
 - c. Fronterra anticipates an approved CAWS will be received by August 2008.

- 1 16. Final Plat approval for the Development is expected to be September 2008.
- 2 17. An Approval of Construction for water supply facility and possibly water
- 3 treatment facility is expected by March 2009.
- 4 18. Fronterra seeks to establish a Service Area Right by initially serving water
- 5 pursuant to Type 2 Non-Irrigation Grandfathered Right(s) by September 2009.
- 6 19. A Clean Water Act 208 Amendment approval from EPA is expected by August
- 7 2007.
- 8 20. The North Tonopah Regional Wastewater Master Plan is set for approval
- 9 sometime in August 2007 and is dependent on the Clean Water Act 208
- 10 Amendment approval from EPA.
- 11 21. Preliminary Plat and Balterra Wastewater Master Plan approval is expected by
- 12 January 2008.
- 13 22. The final design and Approval to Construct the wastewater treatment facility is
- 14 targeted for October 2007.
- 15 23. Balterra submitted its Aquifer Protection Permit application to ADEQ on
- 16 March 13, 2007, and it has been deemed administratively complete. Balterra
- 17 anticipates approval by November 2008.
- 18 24. AZPDS approval is targeted for November 2008.
- 19 25. Balterra asserts that an Approval of Construction for the wastewater treatment
- 20 facilities will be granted no later than September 2009.

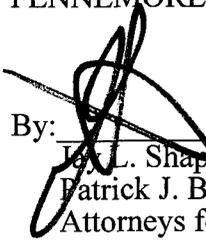
21 With respect to the status of Balterra's wastewater facilities, all treatment facility and
22 collection system designs have been finalized, and are awaiting approval through the MAG 208
23 amendment process.

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RESPECTFULLY SUBMITTED this 25th day of April, 2007.

FENNEMORE CRAIG, P.C.

By: 
Patrick J. Black
Attorneys for Balterra Sewer Corp.

ORIGINAL and 13 copies hand-delivered
this 25th day of April, 2007 to:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

COPY of the foregoing hand-delivered
this 25th day of April, 2007 to:

Lyn Farmer, Chief Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Chris Kempley, Chief Counsel
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Linda Jaress, Executive Consultant
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
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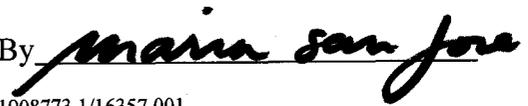
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Exhibit 1

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AFFIDAVIT OF KEITH WATKINS

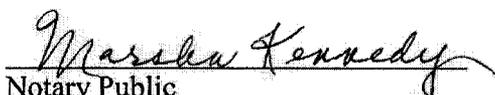
Keith Watkins, being duly sworn, deposes and says:

1. I am a resident of Maricopa County, over 18 years of age, and make this affidavit based on my own personal knowledge.
2. I am Vice President for Fronterra Village, LLC.
3. The target deadlines for the permitting and construction of water and wastewater facilities to serve the Balterra Master Planned Community, as set forth in the Notice of Supplemental Filing submitted by Balterra Sewer Corp., are true and correct to the best of my knowledge.



Keith Watkins
Fronterra Village, LLC

SUBSCRIBED and sworn to before me this 25th day of April, 2007.



Notary Public

My Commission Expires:
3.15.2008

