

ORIGINAL



0000073300

RECEIVED SALLQUIST, DRUMMOND & O'CONNOR, P.C.

50

2007 MAY 23 P 12: 29

AZ CORP COMMISSION
DOCKET CONTROL
RICHARD L. SALLQUIST

ATTORNEYS AT LAW
TEMPE OFFICE
4500 S. LAKESHORE DRIVE
SUITE 339
TEMPE, ARIZONA 85282

PHONE (480) 839-5202
FACSIMILE (480) 345-0412
E-MAIL dick@sd-law.com

May 23, 2007

HAND DELIVERY
Ernest Johnson, Director
Arizona Corporation Commission
Utilities Division
1200 W. Washington
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

MAY 23 2007

DOCKETED BY	
-------------	--

Re: Willow Springs Utilities LLC; Certificate of Convenience and Necessity; Docket No. WS-20432A-05-0874; Decision No. 68963; Compliance Filing.

Dear Mr. Johnson:

The subject Decision requires Willow Springs Utilities LLC (the "Company") to file a CAAG 208 Amendment by May 31, 2007, just eight months following the Decision. As Staff is aware, the Arizona Department of Environmental Quality ("ADEQ") typically requires substantially longer than eight months to process the Amendment Applications, in addition to the allowed 180 day review period for the United States Environmental Protection Agency ("USEPA") which issues the ultimate approval of the Amendment.

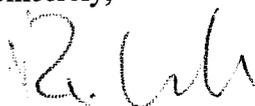
Attached is ADEQ's undated transmittal letter to USEPA (with an ADEQ note indicating that it was mailed on June 19, 2006). We are advised that ADEQ had substantial discussions with the USEPA regarding the entire permitting process. The Company's contact with USEPA in this process is through ADEQ. Attached is a copy of emails between the lead ADEQ person and the Company's Consultant, Mike Caporaso at WestLand Resources, Inc., indicating that the Company's 208 Amendment was approved by USEPA as of May 15, 2007. We hereby file this ADEQ letter and the email as the Compliance Item requirement in the Decision.

Meanwhile, ADEQ indicates that the related Aquifer Protection Permit review for approval is now moving forward. The Decision requires the Company to docket the APP by December 31, 2008.

Ernest Johnson
May 23, 2007
Page 2

In the event you have any questions regarding these matters, please do not hesitate to call.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. L. Sallquist". The signature is fluid and cursive, with the first name "R." and last name "Sallquist" clearly distinguishable.

Richard L. Sallquist

cc: Docket Control (15 copies)
Judge Marc Stern
Legal Division
Alex Agenta
Kevin Tarbox



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.adeq.gov



Stephen A. Owens
Director

Ms. Alexis Strauss, Director
EPA Region IX, Water Division
75 Hawthorne Street (WTR-1)
San Francisco, California 94105

Dear Ms. Strauss:

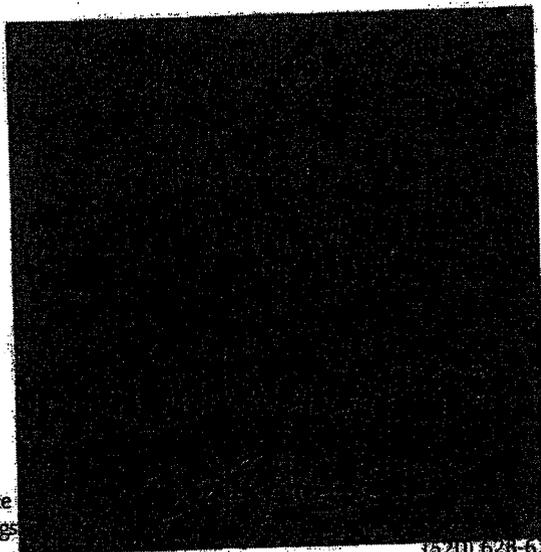
Pursuant to Section 208 of the Clean Water Act and 40 CFR 130.6(e), I certify that the 208 Plan Amendment for Willow Springs Utilities, L.L.C. is consistent with both the State of Arizona's and the Central Arizona Association of Governments' Water Quality Management Plans.

As the Governor's designee for the State's Water Quality Management Program, I hereby transmit this amendment to EPA for review.

Sincerely,

Stephen A. Owens
Director

cc: Cheryl McGovern, Water Division, EPA Region IX (WTR-4)
Edwina Vogari, Surface Water Permits Unit



Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86001
(928) 779-0313

Regional Office
33 • Tucson, AZ 85701
(520) 628-6733

Dick Sallquist

From: Mike Caporaso [mcaporaso@westlandresources.com]
Sent: Monday, May 21, 2007 8:30 AM
To: Dick Sallquist
Cc: Mark Taylor; rproperties@yahoo.com; Patrick.Murphy@lennar.com
Subject: FW: Call from EPA - Willow Springs

Dick,

Will this email train satisfy the ACC? ADEQ has verified that the Willow Springs 208 Plan Amendment has been approved based on their phone communications with EPA. Please let me know if you have any questions or need ADEQ contact information. Thanks, mike

Michael Caporaso
WestLand Resources, Inc.
Office: 520.206.9585

From: Edwina M. Vogan [mailto:Vogan.Edwina@azdeq.gov]
Sent: Friday, May 18, 2007 3:21 PM
To: Mike Caporaso
Subject: RE: Call from EPA - Willow Springs

The phone call is it. I think the 208 review for the APP has begun. Thanks, Edwina Vogan

From: Mike Caporaso [mailto:mcaporaso@westlandresources.com]
Sent: Friday, May 18, 2007 3:18 PM
To: Edwina M. Vogan
Subject: RE: Call from EPA - Willow Springs

Edwina,

Any word on how we would verify to the ACC that the Willow Springs 208 Plan Amendment is approved? Thanks, mike

Michael Caporaso
Senior Project Manager
WestLand Resources, Inc.
2343 E. Broadway Blvd. Suite 202
Tucson, Arizona 85719

Office: 520.206.9585
Fax: 520.206.9518

From: Edwina M. Vogan [mailto:Vogan.Edwina@azdeq.gov]

5/22/2007

Sent: Tuesday, May 15, 2007 2:21 PM
To: Mike Caporaso
Subject: RE: Call from EPA - Willow Springs

I do not think so, but let me check into it. I think right now you have at least my word and EPA's that it is approved. Friday with an answer is okay? Edwina

From: Mike Caporaso [mailto:mcaporaso@westlandresources.com]
Sent: Tuesday, May 15, 2007 1:34 PM
To: Edwina M. Vogan
Subject: RE: Call from EPA - Willow Springs

Edwina,

That's great news! Will EPA or ADEQ be providing written confirmation that the 208 Plan Amendment for Willow Springs is approved? I believe we would need that to verify approval for the ACC.

Thanks again for your help...mike

Michael Caporaso

Senior Project Manager
WestLand Resources, Inc.
2343 E. Broadway Blvd. Suite 202
Tucson, Arizona 85719

Office: 520.206.9585
Fax: 520.206.9518

From: Edwina M. Vogan [mailto:Vogan.Edwina@azdeq.gov]
Sent: Tuesday, May 15, 2007 10:57 AM
To: Mike Caporaso
Subject: Call from EPA - Willow Springs

Hello - Cheryl McGovern called today and said the DMA language is fine. She asked that I contact you. So the 208 is approved. Questions? Edwina Vogan

NOTICE: This e-mail (and any attachments) may contain PRIVILEGED OR CONFIDENTIAL information and is intended only for the use of the specific individual(s) to whom it is addressed. It may contain information that is privileged and confidential under state and federal law. This information may be used or disclosed only in accordance with law, and you may be subject to penalties under law for improper use or further disclosure of the information in this e-mail and its attachments. If you have received this e-mail in error, please immediately notify the person named above by reply e-mail, and then delete the original e-mail. Thank you.

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.

NOTICE: This e-mail (and any attachments) may contain PRIVILEGED OR CONFIDENTIAL information and is intended only for the use of the specific individual(s) to whom it is addressed. It may contain information that is privileged and confidential under state and federal law. This information may be used or disclosed only in accordance with law, and you may be subject to penalties under law for improper use or further disclosure of the information in this e-mail and its attachments. If you have received this e-mail in error, please immediately notify the person named above by reply e-mail, and then delete the original e-mail. Thank you.

NOTICE: This e-mail (and any attachments) may contain PRIVILEGED OR CONFIDENTIAL information and is intended only for the use of the specific individual(s) to whom it is addressed. It may contain information that is privileged and confidential under state and federal law. This information may be used or disclosed only in accordance with law, and you may be subject to penalties under law for improper use or further disclosure of the information in this e-mail and its attachments. If you have received this e-mail in error, please immediately notify the person named above by reply e-mail, and then delete the original e-mail. Thank you.

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.