



**ALGONQUIN**  
WATER SERVICES, L.L.C.

Litchfield Park Service Company  
(An Algonquin Water Utility)

**ORIGINAL**



0000087649

**RECEIVED**

Fax: 623.935.1021

Web: www.algonquinwater.com

August 13, 2008

2008 AUG 13 P 4: 41

Westcor/Goodyear LLC  
c/o Westcor  
11411 N. Tatum Boulevard  
Phoenix, AZ 85028

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
**DOCKETED**

AUG 13 2008

Attention: Mr. Rob Bassett, Assistant Vice President Development

Dear Sirs:,

Docket No. SW-01428A-08-0234

**RE: Will Serve Letter--Wastewater Utility Service for Phase II of the Market at Estrella Falls**

DOCKETED BY	<i>MM</i>
-------------	-----------

Westcor/Goodyear LLC and its development partner, Globe Land Investors, L.L.C. (together, "Developers") have requested that Litchfield Park Service Company ("LPSCo") provide a will-serve letter relating to the proposed commercial development in Goodyear, Arizona known as Estrella Falls, Phase II ("the Project"). The Project is located within LPSCo's Certificate of Convenience & Necessity as issued by the Arizona Corporation Commission ("Commission"), which certificate gives LPSCo the authority to provide wastewater service to the Project. LPSCo will provide wastewater service to the Project as set forth below.

LPSCo hereby confirms it is willing and able to provide wastewater utility service to the Project in accordance with the Commission's rules and regulations, and in accordance with the requirements of the Arizona Department of Environmental Quality, the Maricopa County Environmental Services Department, and any other regulatory agencies having jurisdiction over the facilities and/or LPSCo's provision of wastewater service. The provision of such service by LPSCo shall be subject to the Parties' existing agreements, including the terms and conditions set forth in the 2001 Commercial Wastewater Facilities Agreement, which contract calls for capacity funding by Developer and entering into appropriate line extension agreements governing the on-site and off site facilities to be constructed by Developers and conveyed to LPSCo. Construction, operation and maintenance of the wastewater utility system will also be in accordance with LPSCo's procedures and standard practices.

Subject to applicable regulatory approvals and permits, the agreements between the parties, and satisfaction of Developer's funding and other obligations under existing and/or future agreements, LPSCo will provide sufficient treatment capacity for the Project. The parties have agreed that the amount of capacity necessary for the Project will be calculated in accordance with ADEQ Engineering Bulletin 12, table 1 Average Daily Sewage Flow.

Subject to the obligations and liabilities of the parties set out in the existing and/or future agreements, and barring any unforeseen regulatory or other circumstances, LPSCo will provide wastewater utility service, including treatment, as required to meet the scheduled needs of each phase of the Project. Specifically LPSCo understands that the Project will proceed in three



**ALGONQUIN**  
WATER SERVICES, L.L.C.

Litchfield Park Service Company  
(An Algonquin Water Utility)

12725 West Indian School Road  
Suite D101  
Avondale, Arizona 85392  
Phone: 623.935.9367  
Fax: 623.935.102C  
Web: [www.algonquinwater.com](http://www.algonquinwater.com)

phases with the first, the Power Center, anticipated to be completed in approximately six months, requiring less than 100,000 gallons per day of treatment capacity. The second phase of the Project is the Mall, expected to be opened in the third or fourth quarter of 2010, and will require approximately 200,000 gallons per day of treatment capacity. Lastly, the final phase of the Project, which LPSCo understands involves several additional commercial developments anticipated to be added in and around the vicinity of the Mall over a roughly 10-year period after the Mall is completed, will require the balance of the agreed upon treatment capacity. At this time, LPSCo is not aware of any specific problems or circumstances that would prevent it from providing capacity in accordance with this understanding of Developers' Project schedule.

If there are any questions with respect to this letter, or LPSCo's provision of wastewater utility service to the Project, please contact the undersigned at your convenience.

Yours very truly,

Gregory S. Sorensen  
Manager,  
Litchfield Park Service Company

cc: Mayor James Cavanaugh, City of Goodyear  
Chairman Mike Gleason  
Commissioner William A. Mundell  
Commissioner Jeff Hatch-Miller  
Commissioner Kristin K. Mayes  
Commissioner Gary Pierce  
Judge Dwight D. Nodes  
Shawn Bradford, City of Goodyear  
ACC Docket Control (13 copies)