

ORIGINAL

INTERVENTION



0000091931

19

BEFORE THE ARIZONA CORPORATION COMMISSION

7 23 2008 10 5 24

COMMISSIONERS

MIKE GLEASON - Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

Arizona Corporation Commission

DOCKETED

DEC 17 2008

DOCKETED BY

IN THE MATTER OF THE APPLICATION )  
OF JOHNSON UTILITIES COMPANY, LLC )  
DBA JOHNSON UTILITIES COMPANY FOR )  
AN INCREASE IN ITS WATER AND )  
WASTEWATER RATES FOR CUSTOMERS )  
WITHIN PINAL COUNTY, ARIZONA. )

Docket No.: WS-02987A-08-0180

MOTION FOR LEAVE TO  
INTERVENE

Pursuant to A.R.S. 40-§360.05(A)(2) and Arizona Administrative Code §R14-3-105, the Town of Florence, an Arizona municipal corporation, ("Florence"), hereby applies to the Arizona Corporation Commission (the "Commission"), for an order granting leave to intervene in the above captioned proceeding. It is respectfully requested that the Commission grant leave to intervene because Florence, as a municipal water provider, seeks to promote the development of equitable rates for water and wastewater service within its corporate limits as a matter of public policy. The current and future residents of Florence will be substantially affected by the rate increase proposed by the applicant Johnson Utilities Company (the "Applicant"), because a large portion of the Town of Florence is within the territory comprised by the Certificate Convenience and Necessity ("CC&N") of Applicant.

Attached hereto as Exhibit "1" is an accurate map showing the current territorial limits of the northern portion of Florence, much of which is within the CC&N of Applicant.

Attached hereto as Exhibit "2" is an accurate map showing the Planned Unit Developments which have been approved by Florence and which will receive water and

1 wastewater treatment service from Applicant. At this time, the Town of Florence has approved  
2 the development of 37, 399 dwelling units within the CC&N of Applicant.

3 Attached hereto as Exhibit "3" is an accurate map depicting the pending  
4 annexations of Florence. All of the pending annexations are within the CC&N of Applicant.

5 Further, Florence currently has on file with Pinal County the "Arizona Farms" annexation  
6 petition [see, Exhibit 3], which calls for the annexation of approximately ten sections of territory  
7 stretching from Bella Vista Rd. in the Johnson Ranch area of Pinal County to Arizona Farms  
8 road to the south. The Arizona Farms annexation comprises approximately 5,052 acres, much of  
9 which is planned for residential development. This territory will also receive water and  
10 wastewater treatment service from Applicant.

11 As a designated municipal water provider, the Town of Florence has commissioned  
12 several utility rate studies in the last five years, and can therefore present meaningful testimony  
13 and related information on the requested rate increase. It is urged that as an intervenor,  
14 Florence's participation in these proceedings will neither broaden the issues nor unduly delay the  
15 proceedings.

16 For these reasons, the Town of Florence respectfully requests that the Committee grant its  
17 Motion for Leave to Intervene in this matter. This Motion to Intervene has been served upon the  
18 Applicant, Counsel for Applicant and all parties of record. The Town of Florence requests that  
19 all communication issued in connection with the proceedings be directed to:  
20

21 James E. Mannato  
22 Florence Town Attorney  
23 775 N. Main Street  
24 P.O. Box 2670  
25 Florence, AZ 85232  
26 520-868-7557

27 RESPECTFULLY SUBMITTED this 16th day of December 2008.

28   
James E. Mannato  
Florence Town Attorney

1 Original and 13 copies filed this 16<sup>th</sup> day of December, 2008, with:  
2

3 Arizona Corporation Commission  
4 Docket Control  
5 1200 W. Washington Street  
6 Phoenix, AZ 85007

7 A copy of the foregoing document was mailed this  
8 16<sup>th</sup> day of December, 2008 to:

9 Ernest G. Johnson, Dir. of Utilities  
10 Arizona Corporation Commission  
11 Utilities Division  
12 1200 W. Washington Street  
13 Phoenix, AZ 85007

14 Robin Mitchell  
15 Legal Division  
16 Arizona Corporation Commission  
17 1200 W. Washington Street  
18 Phoenix, AZ 85007

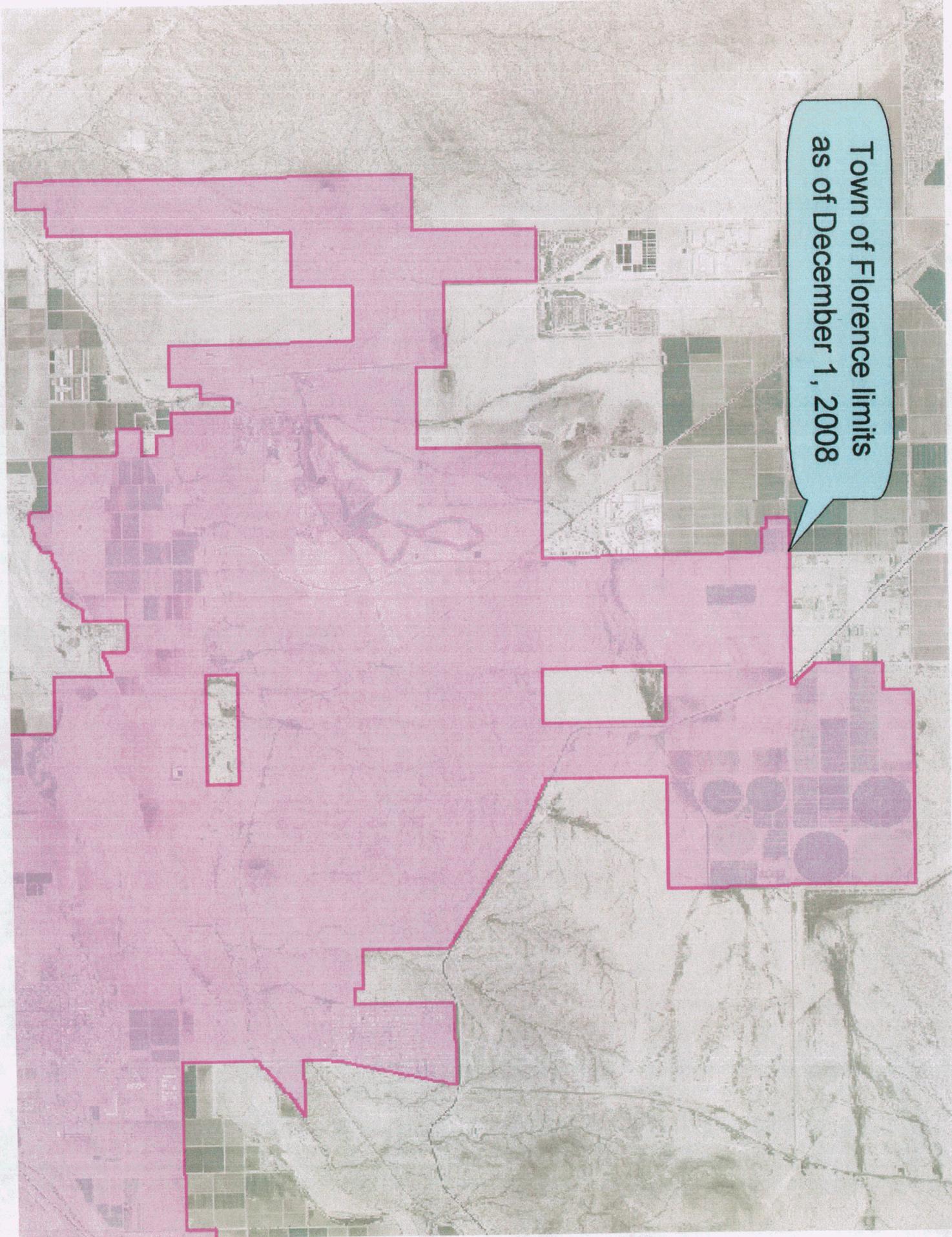
19 Mr. George Johnson  
20 Johnson Utilities Company  
21 5230 E. Shea Blvd.  
22 Scottsdale, AZ 85254

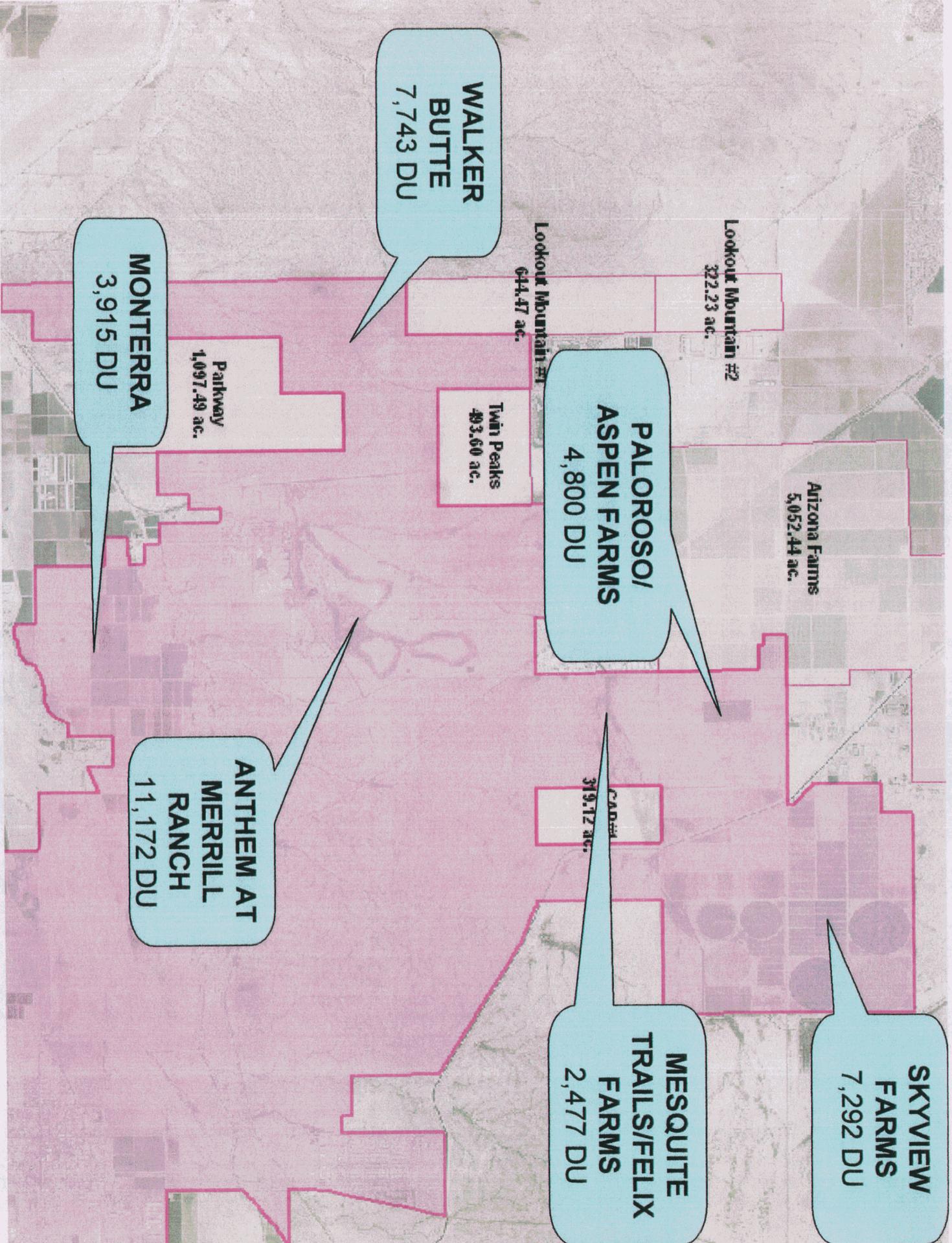
23 Jeffrey W. Crockett  
24 Snell & Wilmer, LLP  
25 One Arizona Center  
26 400 E. Van Buren  
27 Phoenix, AZ 85004-2202  
28 Attorney for Johnson Utilities, LLC

Craig A. Marks  
Attorney at Law  
10645 N. Tatum Blvd., Suite 200-676  
Phoenix, AZ 85028  
Attorney for Swing First Golf, LLC

  
By: Laurie Capek

Town of Florence limits  
as of December 1, 2008





**WALKER BUTTE**  
7,743 DU

**MONTERRA**  
3,915 DU

**PALOROSO/  
ASPEN FARMS**  
4,800 DU

**ANTHEM AT  
MERRILL RANCH**  
11,172 DU

**MESQUITE TRAILS/  
FELIX FARMS**  
2,477 DU

**SKYVIEW FARMS**  
7,292 DU

Pathway  
1,097.49 ac.

Twin Peaks  
403.60 ac.

Lookout Mountain #1  
644.47 ac.

Lookout Mountain #2  
322.23 ac.

Arizona Farms  
5,052.44 ac.

CASH  
319.12 ac.

Pending Town of  
Florence Annexations

