

ORIGINAL

INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

- Kristin K. Mayes, Chairman
- Gary Pierce
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- Bob Stump

Arizona Corporation Commission

2009 MAR 23 P 3:02

DOCKETED Z CORP COMMISSION
DOCKET CONTROL

MAR 23 2009

DOCKETED BY	
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IN THE MATTER OF THE APPLICATION OF)
 OF WILLOW VALLEY WATER CO., INC.)
 FOR AN EXTENSION OF ITS CERTIFICATE OF)
 CONVENIENCE AND NECESSITY.)
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)

DOCKET NO. W-01732A-05-0532

APPLICATION TO INTERVENE

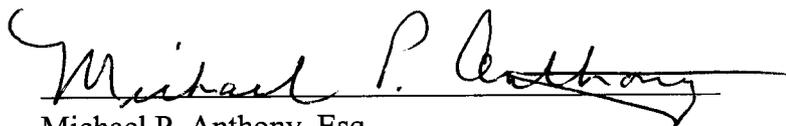
McKellips Land Corporation ("McKellips") respectfully applies to intervene in this docket. The Commission granted a CC&N extension to Willow Valley Water Co., Inc. ("Willow Valley") in this docket by Decision No. 68610 (March 23, 2006). At the time the CC&N extension was granted, McKellips owned the lands covered by the extension, and McKellips continues to own land in the extension area. Decision No. 68610 requires Willow Valley to obtain a Letter of Water Adequacy ("LAWS") for the extension area. The extension area is comprised of three parcels, "A", "B", and "C" identified in the Decision, a portion of which is included in Willow Valley Estates 20, Tract 4134 which was intended to be developed in three Phases. McKellips obtained, and Willow Valley submitted to the Commission, the LAWS for Tracts "A" and "B" of the subdivision, and continues to work on obtaining the LAWS for Tract "C" thereof (now known as Willow Valley Estates 21, Tract 4228), which is still owned by McKellips.

The Commission's rules provide that entities "who are directly and substantially affected by the proceedings" may request leave to intervene. A.A.C. R14-3-105(A). As the owner of Tract "C" of the subdivision, McKellips is directly and substantially affected by these proceedings, especially whether the LAWS deadline provided for in Decision No. 68610 is extended. The Commission's rules

1 also provide that intervention will not be granted where the issues "will be unduly broadened, except
2 upon leave of the Commission first had and received." A.A.C. R14-3-105(B). McKellips will raise
3 only the issue of extending the deadline for providing the LAWS. Thus, McKellips will not unduly
4 broaden the issues. We have conferred with counsel for Willow Valley and report that Willow Valley
5 does not oppose this Application to Intervene. Accordingly, McKellips respectfully requests that it
6 be granted intervention in this docket.

7 RESPECTFULLY SUBMITTED this 23rd day of March, 2009.

8 CARSON MESSINGER ELLIOTT LAUGHLIN & RAGAN, P.L.L.C.

9 

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14 Original and 15 copies of the foregoing
15 filed this 23rd day of March, 2009 with:

16 Docket Control
17 Arizona Corporation Commission
18 1200 West Washington Street
19 Phoenix, Arizona 85007

20 Copy of the foregoing hand-delivered/mailed
21 this 23rd day of March, 2009, to:

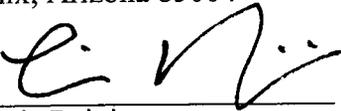
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By 
Louis Reininger