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ADMITTED TO PRACTICE IN:
ARIZONA, COLORADO, MONTANA,
NEVADA, TEXAS, WYOMING,
DISTRICT OF COLUMBIA

OF COUNSEL TO
MUNGER CHADWICK, P.L.C.

May 12, 2009

Arizona Corporation Commission

DOCKETED

MAY 13 2009

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

DOCKETED BY 

Re: Diablo Village Water Company and Thim Utility Co.
Docket Nos. W-02309A-09-0095 and W-03293A-09-0095
Supplemental Response to
April 1, 2009 ACC Staff INSUFFICIENCY LETTER

To Whom It May Concern:

Enclosed for filing in the above-referenced dockets are the original and fifteen (15) copies of a letter to Docket Control from Lawrence V. Robertson, Jr. on behalf of Diablo Village Water Company and Thim Utility Co. This letter is a supplemental response to the Arizona Corporation Commission Staff's April 1, 2009 Insufficiency Letter.

Please let me know if you have any questions. Thank you for your assistance with regard to this matter.

Sincerely,



Angela R. Trujillo
Secretary
Lawrence V. Robertson, Jr.

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

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May 12, 2009

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

RE: Diablo Village Water Company and Thim Utility Co. - Joint Application for authorization to sell and transfer of water system assets to Metropolitan Domestic Water Improvement District and cancellation of their respective Certificates of Convenience and Necessity Docket Nos. W-02309A-09-0095 and W-03293A-09-0095
April 1, 2009 ACC Staff INSUFFICIENCY LETTER

To Whom It May Concern:

This letter and the enclosed attachments are intended to be further responsive to the Commission Staff's April 1, 2009 Insufficiency Letter in the above-referenced proceeding.

5. Provide a complete listing of the Applicants' assets or direct Staff to where the list of assets can be found in the agreement. If you are providing a list, please indicate those assets if there are any that would not be transferred to Metropolitan Domestic Water Improvement District. Please note that Exhibit H - Bill of Sale is blank.

RESPONSE: The water utility plant assets proposed to be conveyed to the Metropolitan Domestic Water Improvement District ("MDWID") are itemized in the 2008 Annual Reports filed with the Commission's Utilities Division by Diablo Village Water Company ("Diablo Village") and Thim Utility, Co. for its E&T division. All construction equipment, vehicles and office equipment utilized by the aforesaid utilities in connection with their respective water systems are owned by Nordic Corp ("Nordic"); and, such construction equipment, vehicles and office equipment will be retained by Nordic in connection with its provision of management and operating services to Thim Utility, Co. and Thim Water Corporation for their Three Points water system. MDWID will provide such construction equipment, vehicles and office equipment as may be

necessary for the ongoing and future operations and maintenance of the Diablo Village and E&T water systems, in the event of Commission approval of the Asset Purchase Agreement and extinguishment of Diablo Village's and E&T's certificates of convenience and necessity.

9. According to the Drinking Water Compliance Status Report, dated March 20, 2009, Diablo Village Water Company has major deficiencies and does not meet the ADEQ Water Quality Standards. Please provide Staff documentations showing that ADEQ's Water Quality concerns have been resolved.

RESPONSE: In its April 16, 2009 response, Diablo Village indicated it would undertake an investigation of the situation resulting in the ADEQ March 20, 2009 Drinking Water Compliance Status Report. Diablo Village has since initiated such investigation, and recently provided documentation to ADEQ for review. With the objective of keeping the Commission and its Staff informed as to the status (as well as the ultimate results) of that investigation, attached hereto as Appendix "C" is a copy of the documentation Diablo Village recently forwarded to ADEQ. In that regard, Donna Calderon is the ADEQ staff member with which Diablo Village has been communicating. As previously indicated in its April 16, 2009 response to the Commission's Staff April 1, 2009 Insufficiency Letter, Diablo Village will advise the Commission's Staff upon completion of the aforesaid investigation.

Please advise the undersigned if there are any questions relating to the foregoing or the attached information.

Sincerely,



Lawrence V. Robertson, Jr.

cc: Kevin Torrey
Blessing N. Chukwu
Del Smith
Lyn Farmer
Brian Bozzo
Connie Walczak
Robin Thim
Mark Stratton

Appendix “C”

Diablo Village Water Company
Docket No. W-02309A-09-0095
and
Thim Utility Co.
Docket No. W-03293A-09-0095



Initial Distribution System Evaluation (IDSE)
Standard Monitoring Plan (SMP)
Stage 2 Disinfectants and Disinfection Byproducts Rule

I. GENERAL INFORMATION

A. System Information*

PWS ID#: AZ04 10357
 PWS Name: DIABLO VILLAGE
 Street Address: 7687 W. VALENCIA RD.
 City: TUCSON
 State: ARIZONA
 Zip: 85757

B. Date Submitted*

2/6/2009
 (REVISED 5/6/2009)

Population Served: 2943

Source Water Type: Ground Surface/GUDI
 System Type: CWS NTNCWS
 Combined Distribution System: Wholesale Consecutive Neither SEE BELOW

If wholesale, list system(s) you wholesale to: (Please specify PWS # and name)

If consecutive, list system(s) you are consecutive with: (Please specify PWS # and name)

DIABLO VILLAGE HAS A CONNECTION WITH TUCSON WATER.
WATER FROM THAT SOURCE IS ONLY USED FOR
EMERGENCY SITUATIONS

C. PWS Operations

DIABLO VILLAGE DOES NOT ROUTINELY DISINFECT THE SYSTEM
 Residual Disinfectant Type: Chlorine Chloramines Other
 Number of Disinfected Sources: Surface GUDI Ground 1 Purchased

D. Contact Person*

Name: CHARLES THIM
 Title: OPERATIONS
 Phone Number: 520-444-9939 Fax Number (if applicable): 520-290-8999
 Email Address (if applicable): FIRECAP16 @ YAHOO.COM



**Initial Distribution System Evaluation (IDSE)
Standard Monitoring Plan (SMP)
Stage 2 Disinfectants and Disinfection Byproducts Rule**

II. IDSE REQUIREMENTS*

A. Number of Sites: **Total:** 2

Near Entry Point: _____
Avg. Residence Time: _____
High TTHM: /
High HAA5: /

B. IDSE Schedule (circle one): Schedule 1 Schedule 2 Schedule 3 Schedule 4

C. Standard Monitoring Frequency

- During peak historical month (1 monitoring period)
- Every 90 days (4 monitoring periods)
- Every 60 days (6 monitoring periods)



Initial Distribution System Evaluation (IDSE)
Standard Monitoring Plan (SMP)
Stage 2 Disinfectants and Disinfection Byproducts Rule

III. SELECTING STANDARD MONITORING SITES

A. Data Evaluated. Put a check mark in each box corresponding to the data that you used to select each type of standard monitoring site. Check all that apply.

| Data Type | Type of Site | | | |
|--|------------------|---------------------|-----------|-----------|
| | Near Entry Point | Avg. Residence Time | High TTHM | High HAA5 |
| System Configuration | | | | |
| Pipe layout, locations of storage facilities | | | ✓ | ✓ |
| Locations of sources and consecutive system entry points | | | ✓ | ✓ |
| Pressure zones | | | | |
| Information on population density | | | ✓ | ✓ |
| Locations of large customers | | | | |
| Water Quality and Operational Data | | | | |
| Disinfectant residual data | | | | |
| Stage 1 DBP data | | | | |
| Other DBP data | | | | |
| Microbiological monitoring data (e.g., HPC) | | | | |
| Tank level data, pump run times | | | | |
| Customer billing records | | | | |
| Advanced Tools | | | | |
| Water distribution system model | | | | |
| Tracer study | | | | |

B. Summary of Data*. Provide a summary of data you relied on to justify standard monitoring site selection. (Attach additional sheets if needed)

THE BACTERIOLOGICAL SAMPLING SITES ARE SITES THAT MRDL SAMPLES ARE COLLECTED. THE TTHM/HAA5 SAMPLES ARE COLLECTED AT LOCATIONS THAT REPRESENT MAXIMUM RESIDENCE TIME. THE SITE REPRESENTATIVE OF HIGH TTHM/HAA5 IS AT 6741 CATALAN BASED ON WELL #1 LOCATION ON THE SAMPLING SITES SCHEMATIC



Initial Distribution System Evaluation (IDSE)
 Standard Monitoring Plan (SMP)
 Stage 2 Disinfectants and Disinfection Byproducts Rule

IV. JUSTIFICATION OF STANDARD MONITORING SITES*

| Standard Monitoring Site ID (from map) ¹ | Site Type | Justification |
|---|--|---|
| 7400 TENDERFOOT | <input type="checkbox"/> Near Entry Point <input type="checkbox"/> Avg. Residence Time <input checked="" type="checkbox"/> High TTHM <input type="checkbox"/> High HAA5 | <i>DOWNSTREAM FROM STORAGE HIGH RESIDENCE TIME BEFORE LAST GROUP OF CUSTOMERS</i> |
| 6233 EAGLES ROOST | <input type="checkbox"/> Near Entry Point <input type="checkbox"/> Avg. Residence Time <input type="checkbox"/> High TTHM <input checked="" type="checkbox"/> High HAA5 | <i>DOWNSTREAM OF STORAGE FACILITY BEFORE LAST GROUP OF CUSTOMERS PRIOR TO LAST HYDRANT FOR THOSE HOMES</i> |
| | <input type="checkbox"/> Near Entry Point <input type="checkbox"/> Avg. Residence Time <input type="checkbox"/> High TTHM <input type="checkbox"/> High HAA5 | |
| | <input type="checkbox"/> Near Entry Point <input type="checkbox"/> Avg. Residence Time <input type="checkbox"/> High TTHM <input type="checkbox"/> High HAA5 | |
| | <input type="checkbox"/> Near Entry Point <input type="checkbox"/> Avg. Residence Time <input type="checkbox"/> High TTHM <input type="checkbox"/> High HAA5 | |
| | <input type="checkbox"/> Near Entry Point <input type="checkbox"/> Avg. Residence Time <input type="checkbox"/> High TTHM <input type="checkbox"/> High HAA5 | |
| | <input type="checkbox"/> Near Entry Point <input type="checkbox"/> Avg. Residence Time <input type="checkbox"/> High TTHM <input type="checkbox"/> High HAA5 | |
| | <input type="checkbox"/> Near Entry Point <input type="checkbox"/> Avg. Residence Time <input type="checkbox"/> High TTHM <input type="checkbox"/> High HAA5 | |

Verify that site IDs match IDs in Section IV and on your distribution system schematic (See Section VII of this form). Attach additional copies if you are required to select more than 8 standard monitoring locations or need more room.



Initial Distribution System Evaluation (IDSE)
 Standard Monitoring Plan (SMP)
 Stage 2 Disinfectants and Disinfection Byproducts Rule

V. PEAK HISTORICAL MONTH AND PROPOSED STANDARD MONITORING SCHEDULE

A. Peak Historical Month* N/A

B. If Multiple Sources, Source Used to Determine Peak Historical Month
 (write "N/A" if only one source in your system)

C. Peak Historical Month Based On* (Check all that apply)

High THM High HAA5 Warmest water temperature

If you used other information to select your peak historical month, explain here:
 (attach additional sheets if needed)

D. Proposed Standard Monitoring Schedule*

| Standard Monitoring Site ID (from map) ¹ | Projected Sampling Data (date or week) ² | | | | | |
|---|---|-----------------|-----------------|-----------------|----------|----------|
| | Period 1 | Period 2 | Period 3 | Period 4 | Period 5 | Period 6 |
| 7400 TENDERFOOT | FEB 3RD WEEK | MAY 3RD WEEK | AUG 3RD WEEK | NOV 2ND WEEK | | |
| 6233 EAGLES ROOST | FEB 3RD WK | MAY 3RD WK | AUG 3RD WK | NOV 2ND WK | | |
| | | | | | | |

¹ Verify that site IDs match IDs in Section IV and on your distribution system schematic (See Section VII of this form). Attach additional copies if you are required to select more than 8 standard monitoring locations.
² period = monitoring period. Complete for the number of periods from Section II.C. Can list exact date or week (e.g., week of 7/9/07)



Initial Distribution System Evaluation (IDSE)
Standard Monitoring Plan (SMP)
Stage 2 Disinfectants and Disinfection Byproducts Rule

VI. PLANNED STAGE 1 DBPR COMPLIANCE MONITORING SCHEDULE*

| Stage 1 DBPR Monitoring Site ID (from map) ¹ | Projected Sampling Date (date or week) ² | | | |
|---|---|----------|----------|----------|
| | Period 1 | Period 2 | Period 3 | Period 4 |
| 0233 EAGLES ROOST DR. | JULY | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

¹ Verify that site IDs match IDs on your distribution system schematic (See Section VII of this form). Attach additional copies if you are required to monitor at more than 8 Stage 1 DBPR sites.

² period = monitoring period. Complete for the number of periods in which you must conduct Stage 1 DBPR monitoring during IDSE monitoring. Can list exact date or week (e.g., week of 7/9/07)

VII. DISTRIBUTION SYSTEM SCHEMATIC*

Attach a schematic of your distribution system.

Distribution system schematics are not confidential and should not contain information that poses a *security risk* to your system. ADEQ recommends that you use one of two options:

- **Option 1: Distribution system schematic with no landmarks or addresses indicated.** Show locations of sources, entry points, storage facilities, standard monitoring locations, and Stage 1 compliance monitoring locations (required). Also include pressure zone boundaries and locations of pump stations. Provide map scale.
- **Option 2: City map without locations of pipes indicated.** Show locations of sources, entry points, storage facilities, standard monitoring locations, and Stage 1 compliance monitoring locations (required). Also include boundaries of the distribution system, pressure zone boundaries and locations of pump stations. Provide map scale.

VIII. ATTACHMENTS

- Distribution System Schematic* (Section VII).
- Additional sheets for the summary of data or site justifications (Sections III and IV).



Initial Distribution System Evaluation (IDSE)
Standard Monitoring Plan (SMP)
Stage 2 Disinfectants and Disinfection Byproducts Rule

- ___ Additional copies of Page 3 for justification of Standard Monitoring Sites (Section IV).
- ___ Additional sheets for explaining how you used data other than TTHM, HAA5, and temperature data to select your peak historical month (Section V).
- ___ Additional copies of Page 4 for proposed monitoring schedule (Section V).
- ___ Additional sheets for planned Stage 1 DBPR compliance monitoring schedule (Section VI).

Total number of pages in your Standard Monitoring Plan: 8

Note: Fields with an asterisk (*) are required by the Stage 2 DBPR.

Please submit Standard Monitoring Plan to:

Arizona Department of Environmental Quality
Attn: Starr Abounader
Drinking Water Monitoring and Protection Unit, Mail Code 5415B-2
1110 West Washington Street
Phoenix, AZ 85007

**If your public water system is in Maricopa County, you must also submit your
Standard Monitoring Plan to:**

Maricopa County Environmental Services Department
Attn: John Kolman
Drinking Water Program
1001 North Central Avenue, Suite 250
Phoenix, AZ 85004

