

ORIGINAL

OPEN MEETING ITEM



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COMMISSIONERS
KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP



RECEIVED

MICHAEL P. KEARNS
Interim Executive Director

ARIZONA CORPORATION COMMISSION 2: 16

DATE: JULY 6, 2009

DOCKET NO: WS-02987A-06-0663

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Yvette B. Kinsey. The recommendation has been filed in the form of an Order on:

JOHNSON UTILITIES L.L.C.
(EXTENSION OF TIME DEADLINE
CONTAINED IN DECISION NO. 69414)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

JULY 15, 2009

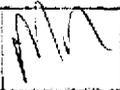
The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

JULY 28, 2009 and JULY 29, 2009

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission
DOCKETED

JUL - 6 2009

DOCKETED BY 

MICHAEL P. KEARNS
INTERIM EXECUTIVE DIRECTOR

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 KRISTIN K. MAYES, Chairman
4 GARY PIERCE
5 PAUL NEWMAN
6 SANDRA D. KENNEDY
7 BOB STUMP

8 IN THE MATTER OF THE APPLICATION
9 OF JOHNSON UTILITIES COMPANY FOR
10 AN EXTENSION OF ITS CERTIFICATE OF
11 CONVENIENCE AND NECESSITY.

DOCKET NO. WS-02987A-06-0663

DECISION NO. _____

ORDER EXTENDING TIME
DEADLINE CONTAINED IN
DECISION NO. 69414

12 Open Meeting
13 July 28 and 29, 2009
14 Phoenix, Arizona

15 **BY THE COMMISSION:**

16 * * * * *

17 Having considered the entire record herein and being fully advised in the premises, the
18 Commission finds, concludes, and orders that:

19 **FINDINGS OF FACT**

20 1. On October 16, 2006, Johnson Utilities L.L.C. ("Johnson" or "Company") filed with
21 the Arizona Corporation Commission ("Commission") an application for an extension of its
22 Certificate of Convenience and Necessity ("Certificate" or "CC&N") for water and wastewater
23 services to primarily serve a development known as Skyview Farms.¹

24 2. On April 16, 2007, the Commission issued Decision No. 69414 approving Johnson's
25 application. In Decision No. 69414, Johnson was ordered to file the following compliance items:

- 26 • Within two years of the effective date of the Decision, copies of the Approval to
27 Construct ("ATC") for water facilities and the General Permit for wastewater
28 facilities needed to serve the extension area.
- Within two years of the effective date of the Decision, a copy of the Aquifer
Protection Permit ("APP") amendment indicating approval of the expansion of
Johnson's Section 11 Wastewater Treatment Plant to 4.0 MGD.

¹ The extension area encompasses two sections of land and the vast majority (except 40-acres) will be used to develop Skyview Farms. Decision No. 69414 at 3.

ORDER

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IT IS THEREFORE ORDERED that Johnson Utilities L.L.C.'s request for an extension of time, until April 16, 2011, to file copies of the Approval to Construct for water facilities and the General Permit for wastewater facilities needed to serve the extension area described in Decision No. 69414, and to file the Aquifer Protection Permit amendment expanding Johnson's Section 11 Wastewater Treatment Plant to 4.0 MGD, is hereby granted.

IT IS FURTHER ORDERED that no additional extensions of time shall be granted regarding this matter absent extraordinary circumstances.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN _____ COMMISSIONER _____

COMMISSIONER _____ COMMISSIONER _____ COMMISSIONER _____

IN WITNESS WHEREOF, I, MICHAEL P. KEARNS, Interim Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2009.

MICHAEL P. KEARNS
INTERIM EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

YBK:db

1 SERVICE LIST FOR: JOHNSON UTILITIES L.L.C.

2 DOCKET NO.: WS-02987A-06-0663

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LLC, Grant and Fern Ellsworth as trustees of the
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L.L.C., and Casa Grande Camp Farm, L.L.C.

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