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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2009 DEC 31 P 2:43
AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

DEC 31 2009

DOCKETED BY *MM*

IN THE MATTER OF THE APPLICATION OF
WATER UTILITY OF GREATER TONOPAH,
INC., AN ARIZONA CORPORATION, FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-02450A-06-0253

Motion for Extension of Time

The Water Utility of Greater Tonopah ("Tonopah") respectfully requests an extension of time to file its Designation of Assured Water Supply ("DAWS") or Certificate of Assured Water Supply ("CAWS"). This requirement stems from Decision No. 70037 (December 4, 2007), which granted Tonopah a CC&N extension for the portion of the Balterra development that was not yet within its CC&N. Tonopah was already certificated to provide service to the majority of the Balterra development and this extension added the remainder of Balterra.

Under Decision No. 70037, the DAWS or CAWS is currently due December 31, 2009. Tonopah requests an extension of time until December 31, 2012. Tonopah has filed an application for a DAWS with the Arizona Department of Water Resources ("ADWR"). The DAWS application is a regional application that covers all of Tonopah's service area, including areas granted in other dockets. The DAWS application is also part of ADWR's review of water supply issues in the Lower Hassayampa Sub-Basin. As noted in the November 16, 2009 letter from Karen Smith, Deputy Director of ADWR to the Commission (attached as Exhibit A), ADWR "has been working tirelessly with area developers and water providers (including Global Water and the Town of Buckeye)" to achieve sustainable water use in the Lower Hassayampa Sub-basin. As noted in

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1 Deputy Director Smith's letter, the approval of Tonopah's DAWS will be "a significant
2 opportunity to move closer to sustainability by maximizing water reuse, recycling and recharge"
3 but the extensive analysis required for such a regional planning effort "takes time to achieve."

4 Thus, it is clear that Tonopah has worked diligently with ADWR, local landowners and
5 other stakeholders in pursuing the DAWS. Unfortunately, more time is required for ADWR to
6 complete its review of the proposed DAWS. Therefore Tonopah requests an extension of time
7 until December 31, 2012. This proposed deadline matches the deadline for the same regional
8 DAWS recently approved in another docket by Decision No. 71430 (December 8, 2009).

9
10 RESPECTFULLY SUBMITTED this 31st day of December 2009.

11 ROSKA DEWULF & PATTEN, PLC

12
13 By 

14 Michael W. Patten
15 Timothy J. Sabo
16 One Arizona Center
17 400 East Van Buren Street, Suite 800
18 Phoenix, Arizona 85004

19
20
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22
23 Original + 13 copies of the foregoing
24 filed this 31st day of December 2009, with:

25 Docket Control
26 Arizona Corporation Commission
27 1200 West Washington
Phoenix, Arizona 85007

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- 1 Copies of the foregoing hand-delivered/mailed
- 2 this 31st day of December 2009, to:
- 3 Lyn A. Farmer, Esq.
- 4 Chief Administrative Law Judge
- 5 Hearing Division
- 6 Arizona Corporation Commission
- 7 1200 West Washington
- 8 Phoenix, Arizona 85007
- 9 Janice Alward, Esq.
- 10 Chief Counsel, Legal Division
- 11 Arizona Corporation Commission
- 12 1200 West Washington
- 13 Phoenix, Arizona 85007
- 14 Steve Olea, Director
- 15 Utilities Division
- 16 Arizona Corporation Commission
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- 18 Phoenix, Arizona 85007
- 19 Brian Bozzo
- 20 Compliance Manager
- 21 Utilities Division
- 22 Arizona Corporation Commission
- 23 1200 West Washington
- 24 Phoenix, Arizona 85007
- 25
- 26
- 27

By *Rebbie Amund*

EXHIBIT

"A"

ORIGINAL

OPEN MEETING AGENDA ITEM



0000105046

JANICE K. BREWER
Governor



HERBERT R. GUENTHER
Director

ARIZONA DEPARTMENT OF WATER RESOURCES

2009 NOV 16 P 1:20

3550 North Central Avenue, Second Floor
PHOENIX, ARIZONA 85012-2105
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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

November 16, 2009

Chairman Kristin K. Mayes
Commissioner Gary Pierce
Commissioner Paul Newman
Commissioner Sandra D. Kennedy
Commissioner Bob Stump

Arizona Corporation Commission
DOCKETED

NOV 16 2009

Arizona Corporation Commission
Commissioners Wing
1200 W. Washington
Phoenix, Arizona 85007

DOCKETED BY	<i>MN</i>
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Re: **Belmont CC&N Revocation
WATER UTILITY OF GREATER TONOPAH, INC. AND HASSAYAMPA
UTILITIES COMPANY, INC. - RESPONSE TO REPLY IN SUPPORT OF
MOTION FOR EXTENSION OF TIME (Docket nos. W02450A-06-0626
AND SW-20422A-06-0566)**

Dear Commissioners:

As a fellow state regulator, I have followed and am familiar with the complexity of the issues the ACC faces. But as someone who works in Arizona's water sector, I am writing to voice my concern with the Commission's recommended opinion and order on Global Water's Certificate of Convenience and Necessity (CC&N) in the Lower Hassayampa Sub-basin, including the Belmont area.

This area has been home to intense dispute and concern for the Department of Water Resources. In the absence of sustainable water practices the long-term sustainability of this area is in jeopardy. Hydrologic modeling and the Department's review have demonstrated that there is insufficient groundwater to meet the anticipated demand of all the proposed developments without integrated water, wastewater and recycled water, long-term regional planning, and a holistic approach to water supply. There is simply not enough groundwater.

The Department has been working tirelessly with area developers and water providers (including Global Water and the Town of Buckeye) to establish the protocols necessary to achieve sustainability. This has not been an easy task. I fear that the Commission's

Chairman Kristin K. Mayes
Commissioner Gary Pierce
Commissioner Paul Newman
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Commissioner Bob Stump
Arizona Corporation Commission
November 16, 2009
Page 2 of 2

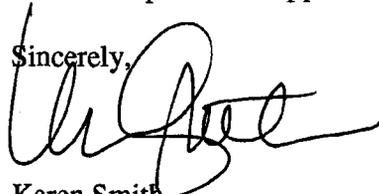
proposed action will unravel these extensive negotiations, and cause a chain-reaction of conversion of Analyses of Assured Water Supply to Certificates of Assured Water Supply. This will seriously cripple a major future employment corridor for the Phoenix area.

In order to achieve sustainability, Global needs the flexibility that only a Designation of Assured Water Supply can provide. Allowing Global to move forward with its Designation of Assured Water Supply is a significant opportunity to move closer to sustainability by maximizing water reuse, recycling and recharge. Absent approval of the CC&N, however, those opportunities cannot be realized. Worse, I expect that we would see a rush of small, developer-centric utilities and systems that will not achieve our long-term water sustainability goals.

In closing, because the Department requires a CC&N to approve a Designation of Assured Water Supply, I urge you to reconsider the proposed action on the CC&N – regional planning takes time to achieve. The benefits to our state of large-scale infrastructure and consolidated approaches to water, wastewater and recycled water use are immeasurable.

I would be pleased to appear at the open meeting to discuss this docket.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen Smith', written over the word 'Sincerely,'.

Karen Smith
Deputy Director