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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

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COMMISSIONERS

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

ARIZONA CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE JOINT APPLICATION OF: (1) FRANCISCO GRANDE UTILITY COMPANY, AN ARIZONA CORPORATION, TO TRANSFER A PORTION OF ITS EXISTING CERTIFICATE OF CONVENIENCE AND NECESSITY TO ARIZONA WATER COMPANY, AN ARIZONA CORPORATION; AND (2) ARIZONA WATER COMPANY, AN ARIZONA CORPORATION, TO INCLUDE CERTIFICATED AREA TO BE TRANSFERRED BY FRANCISCO GRANDE UTILITY COMPANY IN ARIZONA WATER COMPANY'S CASA GRANDE CERTIFICATE OF CONVENIENCE AND NECESSITY

DOCKET NO. W-01445A-05-0700
DOCKET NO. W-01775A-05-0700

AMENDMENT TO REQUEST FOR:

- (A) DETERMINATION OF COMPLIANCE WITH DECISION AND ORDER; OR
- (B) IN THE ALTERNATIVE, FOR ADDITIONAL TIME FOR COMPLIANCE FILING

Arizona Corporation Commission
DOCKETED

JAN 19 2010

DOCKETED BY	<i>mm</i>
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On November 23, 2009 Arizona Water Company (the "Company") filed the above-captioned request, and request in the alternative (the "Request") concerning an extension of the time for complying with certain conditions in Decision No. 68654 (the "Decision"). Per the provision of Decision No. 70450, the current compliance deadline for the conditions (all of which is detailed in the Request) is April 12, 2010.

The Commission's Staff has conducted a preliminary review of the Request, and in response the Company is now amending the Request as follows:

1 1. The Company has revised the map of the extension area which was attached as
2 Attachment 7 to the Request, to correct the Decision No. reference under the "Project" section of
3 the map legend; the Revised Map is attached to this Amendment as Attachment 7.
4

5
6 2. Attachments 3 and 4 to the Request documented the Company's compliance with
7 the Certificate of Assured Water Supply condition of the Decision by documenting the
8 Company's diligent efforts with the Arizona Department of Water Resources ("ADWR")
9 through the filing and pursuit for approval of a Physical Availability Demonstration ("PAD") for
10 an area that includes the extension area under the Decision; a PAD is a precursor to and
11 necessary requirement for obtaining a CAWS.
12

13
14 On December 24, 2009 the ADWR approved the PAD; the PAD approval is
15 attached to this Amendment as Attachment 9 (this is for ease of reference, as there were 8
16 Attachments to the Request, and the PAD approval is a new, not a revised attachment).
17

18 3. In the Request for the Company's compliance with the requirements of an ADEQ
19 approval to construct and a notice of filing indicating that the Company has submitted for Staff's
20 review and approval a copy of a fully executed main extension agreement for water facilities for
21 the requested transfer area, the Company provided a copy of a transmittal letter to the Director
22 of the Utilities Division, dated September 9, 2009 (and currently pending approval by Staff) that
23 enclosed for Staff's review and approval (all part of Attachment 2 to the Request) a fully
24 executed main extension agreement for water facilities for the requested transfer area, and a copy
25 of an Approval to construct (attached to the Request as Attachment 1).
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1 In reviewing Staff's comments on its initial review of the Request, the Company
2 determined that the main extension agreement concerns an adjacent Company CCN area near the
3 Francisco Grande Resort, but it does not concern the extension area under the Decision, for
4 which the Company currently does not have an extension agreement (the Company apologizes to
5 Staff for the error); and the Approval to Construct concerns the same CCN area, but not the
6 extension area under the Decision (and the Company apologizes to Staff for this inadvertent
7 error).
8

9
10 However, in support of the Request, the Company has filed with the ADEQ, and has
11 attached hereto as Attachment 10 (as it is a new attachment) an application for approval of the
12 installation of facilities to serve the extension area under the Decision, in compliance with the
13 Decision; the Company does not know for certain when the application for the Approval will be
14 approved, but believes it will be before, or at least shortly after the current April 12, 2010
15 compliance deadline.
16

17 CONCLUSION

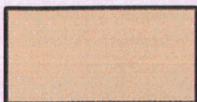
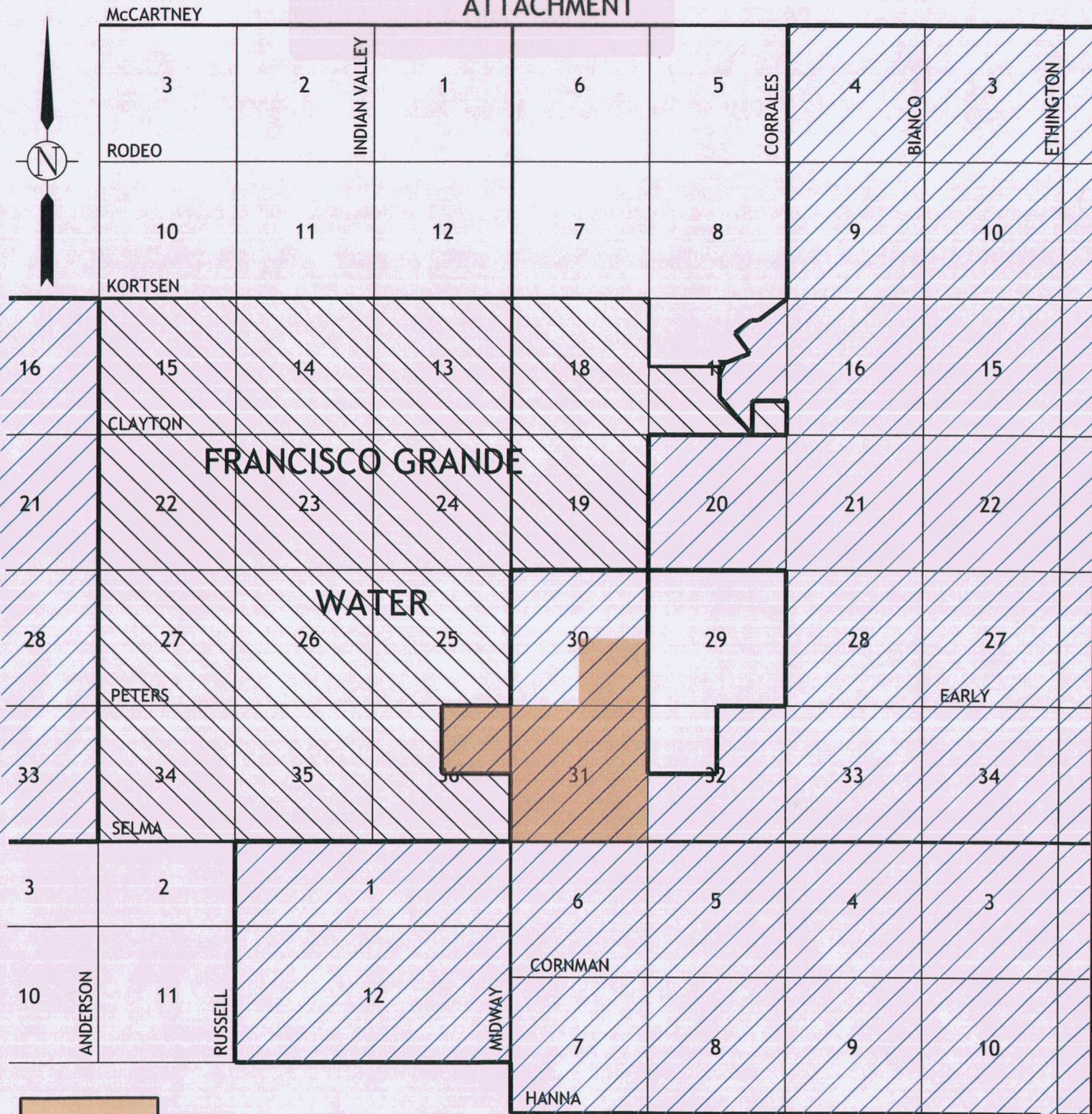
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19
20 In view of the supporting matters and documentation contained in and attached to the
21 Response, and detailed above, and in view of the fact that the Company has now, except for the
22 main extension requirement, either filed, or has applied for approval of all of the requested
23 compliance items listed at page 8, lines 1-16 of the Decision, by being in substantial compliance
24 with respect to filing the CAWS, the Company respectfully requests that the compliance deadline
25 under the Decision for the extension area be extended until April 12, 2012.
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Brian K. Bozzo
Manager, Compliance and Enforcement
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

By: Robert Deane

ATTACHMENT



Area Granted per ACC Decision No. 68654



A Portion of Arizona Water Company Present CC&N



Francisco Grande Present Water CC&N

ARIZONA WATER COMPANY

VICINITY MAP

Location: SE4 Section 30, Section 31 - Township 6 South, Range 5 East, G.S.R.B.&M.
NE4 Section 36, Township 6 South, Range 4 East, G.S.R.B.&M.

Project: Arizona Corporation Commission Decision No. 68654

Date: 11.10.2009

Scale: 1" = 1 Mile

Drawn By: CB

JANICE K. BREWER

Governor



HERBERT R. GUENTHER

Director

ARIZONA DEPARTMENT OF WATER RESOURCES

3550 North Central Avenue, Second Floor
 PHOENIX, ARIZONA 85012-2105
 (602) 771-8500

Via Certified Mail

December 24, 2009

Mr. William Garfield, President
 Arizona Water Company
 3805 North Black Canyon Highway
 Phoenix, Arizona 85015

**RE: Arizona Water Company Pinal Valley Water Service Area
 Pinal County, Arizona (Pinal AMA)
 Application for a Physical Availability Determination
 ADWR #51-700444.0000**

Dear Mr. Garfield:

The Department has completed its review of your application for a Physical Availability Determination for Arizona Water Company Pinal Valley Service Area. The Department received the application on November 15, 2007. The study area locations are within Township 4 South, Range 8 East, within portion of Section 36; Township 4 South, Range 9 East, Sections 31, 32, 33; Township 5 South, Range 5 East, and portions of Sections 13, 14, 15, 16, 21 to 28 inclusive, 33, 34, 35, 36; Township 5 South, Range 6 East, Sections 13 to 36; Township 5 South, Range 7 East, Sections 12, 13, 14, 23 to 36; Township 5 South, Range 8 East, Sections 1, 2, portions of 3, 5, 6, 7 to 36 inclusive; Township 5 South, Range 9 East, Sections 4 to 10 inclusive, 15 to 22 inclusive, 27 to 36 inclusive; Township 5 South, Range 10 East, Sections 31, 32 & 33; Township 6 South, Range 3 East, Sections 10 to 16 inclusive, 21 to 28 inclusive, 33, 34, 35 & 36; Township 6 South, Range 4 East, Sections 16 to 21 inclusive, 28 to 33 inclusive portion of Sec. 36; Township 6 South, Range 5 East, Sections 1, 2, 3, 4, portion of Sec. 5, 9 to 16 inclusive, east half of Sec. 17 and 20 to 36 inclusive; Township 6 South, Range 6 East, Sections 1 to 36; Township 6 South, Range 7 East, Sections 1 to 36 inclusive; Township 6 South, Range 8 East, Sections 1 to 24 inclusive, 29, 30, 31 & 32; Township 6 South, Range 9 East, Sections 1 to 24 inclusive; Township 6 South, Range 10 East, Sections 5, 6, 7, 8, 17, 18, 19 & 20; Township 7 South, Range 3 East, Sections 1, 2, 3, 10 to 15 inclusive, 22 to 27 inclusive, 34, 35 & 36; Township 7 South, Range 4 East, Sections 1 to 36 inclusive; Township 7 South, Range 5 East, Sections 1 to 24; Township 7 South, Range 6 East, Sections 1 to 36 inclusive; Township 7 South, Range 7 East, Sections 1 to 7 inclusive, north half of Sections 8, 18, 19, 30, 21 & 32; Township 7 South, Range 8 East, Sections 5 & 6; Township 8 South, Range 6 East, Sections 1, 2, 3, 4, 9 to 16 inclusive, 21, 22, 23 & 24; Township 8 South, Range 7 East, Sections 4 to 9 inclusive, 17, 18, 19 & 20 and GSR B&M in Pinal County, Arizona.

In accordance with A.A.C. R12-15-702(D), the Department has determined that a minimum of 98,841 acre-feet per year of groundwater is physically available for 100 years under A.A.C. R12-15-716(B) for assured water supply purposes in the study area. Although you requested a volume of 103,485 acre-feet, after a review of the hydrologic study and all issued assured water supply determinations in the study area, the Department has concluded that 98,841 acre feet is physically available.

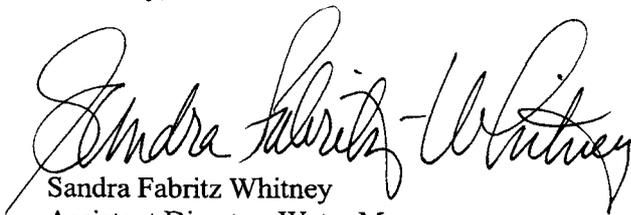
With regard to water quality for the purpose of A.A.C. R12-15-719(A), the provider you select must be regulated by the Arizona Department of Environmental Quality. With regard to water quality for the purpose of A.A.C. R12-15-719(B), the study area is not located within one mile of any known WQARF or Superfund site.

The results of the Department's review fulfill the requirements of R12-15-702(C) and may be cited in applications for determinations of assured water supply. Those applications have certain additional requirements based on the assured water supply criteria referenced in A.R.S. § 45-576 and A.A.C. R12-15-701, et seq. For further information on those requirements, please contact the Office of Assured and Adequate Water Supply at (602) 771-8599.

As with all Physical Availability Determinations issued by the Department, changes in conditions or the accuracy of assumptions and information used in demonstrating physical availability may affect the validity of this determination. Changes in the number or locations of wells may impact applicability of this determination to future applications for determinations of assured water supply.

If you have any questions regarding this Physical Availability Determination, please contact the Office of Assured & Adequate Water Supply at (602) 771-8599.

Sincerely,



Sandra Fabritz Whitney
Assistant Director, Water Management

Via electronic mail:

cc: Steve Corell, scorell@clearcreekassociates.com
Clear Creek Associates

Steve Olea, solea@azcc.gov
Arizona Corporation Commission

Linda Taunt, taunt.linda@azdeq.gov
Arizona Department of Environmental Quality

ARIZONA WATER COMPANY

3805 N. BLACK CANYON HIGHWAY, PHOENIX, ARIZONA 85015-5351 • P.O. BOX 29006, PHOENIX, ARIZONA 85038-9006
PHONE: (602) 240-6860 • FAX: (602) 240-6878 • WWW.AZWATER.COM

January 14, 2010

Engineering Review Desk
Arizona Department of Environmental Quality
1110 W. Washington St., 5th Floor
Phoenix, AZ 850007

Re: Approval to Construct

Dear Engineering Review Desk:

We are submitting for your approval four copies of the construction drawings and a Design Report for the following job:

Work Authorization No.:
Project Name: Selma Highway Main Extension
Location: NE¼, Section 6, T.7S., R.5E.
Casa Grande, Arizona

Please return two copies of the approved drawings to our office.

If you have any questions concerning this construction, please contact us at your convenience.

Very truly yours,



Fredrick K. Schneider, P. E.
Vice President - Engineering

afh
Enclosures



ENGINEERING REVIEW SECTION
APPLICATION FOR APPROVAL TO CONSTRUCT
DRINKING WATER FACILITIES
 ADEQ/WQD-114DW

INSTRUCTIONS

Please fill out and submit this Application for Approval to Construct Drinking Water Facilities (ATC) to obtain authorization to construct a public drinking water system in accordance with Arizona Administrative Code (A.A.C.) R18-5-505.

GENERAL APPLICATION PROCESS

1. Submit this ATC and appropriate supplemental information and forms, which are identified in this form. Please refer for Form 222 (<http://www.azdeq.gov/environ/water/permits/download/222.pdf>) for guidance on what should be submitted with this application and the number of copies. Please see the document entitled Application Submittal Locations (<http://www.azdeq.gov/environ/water/permits/download/appsub.pdf>) to determine where to submit your application (County, City, or ADEQ Regional Office).
2. As of December 6, 2008, the following fees are in effect:

Fee Category (R18-14-202)	Fee ^{a, b}
Approval to Construct for a Public Water Distribution System:	
o 150 or fewer service connections	\$900
o 151 to 300 service connections	\$1,400
o 301 to 450 service connections	\$1,900
o 451 to 600 service connections	\$2,400
o 601 to 750 service connections	\$2,900
o Each additional 150 service connections	Add \$500
Water Treatment Plants and Blending Plans (including new source approval if applicable):	
o < 0.1 Million gallons per day (MGD)	\$1,500
o ≥ 0.1 MGD and < 1.0 MGD	\$2,000
o ≥ 1.0 MGD and < 5.0 MGD	\$3,000
o ≥ 5.0 MGD	\$5,000
Well (including new source approval if applicable), each	\$1,250
Storage Tank, each	\$800
Booster Pump, each	\$800
Main Line Extension (for minor water line extensions only)	\$250
Chlorinators/Disinfection Devices, each	\$250
Extension of Time to Construct ^c	50% of the application fee, not to exceed \$500
Priority Review Fee ^d	Double the Standard Fee

Notes:

- a. Fees are calculated on a per-unit basis: i.e., a separate fee is assessed for each separate storage tank, booster pump, disinfection device or well.
 - b. Fees for each application type are cumulative; an applicant must pay the total of all pertinent fees.
 - c. Extensions of time to construct are issued pursuant to A.A.C. R18-5-505(E): the Section states that an Approval to Construct becomes void if construction is not commenced within a specific time period, unless the Department grants an extension of time.
 - d. Priority Review projects require Department authorization prior to filing.
3. Satisfy any deficiency requests arising from the Department's pre-construction review of the submitted information.
 4. Receive an "Approval to Construct (ATC)" from the Department authorizing construction of the water distribution system.



ENGINEERING REVIEW SECTION
APPLICATION FOR APPROVAL TO CONSTRUCT
DRINKING WATER FACILITIES
 ADEQ/WQD-114DW

5. Begin construction of the water system within one year of the signed approval to construct and complete construction within three years from signed Approval to Construct (ATC).

LICENSING TIME FRAMES

Licensing Time Frames are specified by Arizona Department of Environmental Quality in AAC R18-1-525, which limits the number of business days ADEQ can review your project without a penalty. They are:

License Type	Administrative Review	Substantive Review	Overall Time Frame
Approval to Construct drinking water treatment facility, project or well.			
Standard	16	37	53
Complex	16	67	83
Drinking Water New Source Approval			
Standard	16	37	53
Complex	16	67	83
Time Extension Approval			
Standard	16	16	32

HOW TO NAME YOUR PROJECT

Name the project according to one of the following guidelines:

1. If a distribution system serves a specific subdivision, assign the same name "XXX Subdivision."
2. If a distribution system serves a specific facility, assign that name "XXX RV Park" or "...XXX Campground" or "...XXX Shopping Center."
3. If a water main that does not directly service any residences or other facilities but which will enable facilities and their water mains further upstream to connect to a water line extension: "XXX 'Water Line Extension."



ENGINEERING REVIEW SECTION
APPLICATION FOR APPROVAL TO CONSTRUCT
DRINKING WATER FACILITIES
 ADEQ/WQD-114DW

GENERAL INFORMATION

1 Project Information Standard review Priority review Time extension (renewal)

Project Name: Selma Highway Extension
 Project Description: Install 760 LF of 6" DIP with related fittings along Selma Highway to serve APN 503-26-025D.
(Iota Violet, LLC)

2 Applicant (Owner or Developer)

Name: Arizona Water Company Phone: 602-240-6860
 Title: Owner Firm Name: _____
 Mailing Address: PO Box 29006
City: Phoenix State: AZ Zip: 85038
 E-mail Address: _____

3 Applicant's Agent, if any (Engineer or Consultant)

Name: James T. Wilson Phone: 602-240-6860
 Arizona BTR Registration Number: _____ 41046 Fax: 602-294-2169
 Title: Engineer Firm Name: Arizona Water Company
 Mailing Address: PO Box 29006
 _____ Zip: _____
City: Phoenix State: AZ 85038
 E-mail Address: engineering@azwater.com

4 Site Information

County: Pinal Nearest City: Casa Grande
 Township: 7S Range: 5E Section: 6 Quarter Section: NE SE SW NW
 Latitude: 32 ° 52 ' 46.2 " N Longitude: 111 ° 52 ' 01.2 " W

5 Existing Environmental Permits (Check One)

List any other federal or state environmental permits issued for or needed by the facility, including any related Approvals to Construct (ATCs) or Approvals of Construction (AOCs) that may have previously been authorized and are related to this application (attach additional pages or copies if necessary)

DEPARTMENT USE ONLY		DATE STAMP
File Number		
Fee Paid for this Project		
Check Total		
Date Compliance Status Request Sent		

ENGINEERING REVIEW SECTION
APPLICATION FOR APPROVAL TO CONSTRUCT
DRINKING WATER FACILITIES
 ADEQ/WQD-114DW

Water Treatment Plant Information **Surface Water** **Well Water**

A) Please select the capacity of the treatment plant:

- < 0.1 Million gallons per day (MGD)
- 0.1 to <1.0 MGD
- 1.0 to <5.0 MGD
- ≥ 5.0 MGD

B) Indicate the inorganic/organic contaminant(s) for treatment.

Contaminant	Lab Result (ppb)	Technology Used to Treat (Filtration, RO, Absorptive Media, Ion Exchange, etc)	Predicted Final Treatment Value (ppb)

Blending Plan Information

A) Please select the capacity of the blending plan:

- < 0.1 MGD
- 0.1 to <1.0 MGD
- 1.0 to <5.0 MGD
- ≥ 5.0 MGD

Well Approval Information

- New Source Approval.**
 1. I have attached a copy of the ADWR Notice of Intent to Drill Well (NOI)
 2. ADWR Well # 55-_____
 3. Water test results submitted, or Water test results will be submitted with the AOC application
 4. Capacity Development Application has been submitted
- Existing Well.**
 1. Change of Status Form Included (if Applicable)
 2. ADWR Well # 55-_____

Storage Tank Information

A) Please indicate the following information for the storage tanks associated with this project:

Tank Number	Tank Capacity (gallons)	Material of Construction	Liner Material or Corrosion Protection

ENGINEERING REVIEW SECTION

APPLICATION FOR APPROVAL TO CONSTRUCT DRINKING WATER FACILITIES

ADEQ/WQD-114DW

Booster Pump Information

A) Please include the details for each booster pump:

Pump Number	Pump Rated Capacity	Horsepower	Manufacturer	Model #

Chlorinator and/or Disinfection System Information

- Gas Tablet

ATC Time Frame Extension Information

Original ADEQ File # _____

Priority Review Fee Information

- The fees included are double the standard fees for all items for review

11 Construction Quality Drawings (Check Box if Complete)

- a. The engineering plans must be final plans. Plans marked preliminary, not for construction or similar languages will not be reviewed.
 - b. Specifications are included in the construction drawings and/or are a separate attachment;
 - c. The profiles of all waterlines 10" and greater must be shown on engineering plans.
 - d. The plans must include thrust block details, pipe bedding details, blow-off valves (as caps will not be accepted) and air release vales (ARV) are required at all high points.
 - e. Backflow in accordance with R-18-4-115
- I have provided all the information listed in a. though d. above.

12 Water Distribution System Design Flows (Check Box if Complete)

- I have attached documentation of design and fire flows for significant components of the drinking water distribution system and the basis for calculating the design flows.

13 Design Report (Check Box if Complete)

I have included design documents, including plans, specifications, drawings, reports, and calculations that are signed, dated, and sealed by an Arizona-registered professional engineer. The designer shall use good engineering judgment following engineering standards of practice, and rely on appropriate engineering methods, calculations, and guidance. A design report will describe the proposed construction and basis of design, provide design data and other pertinent information that defines the work to be done, and establishes the adequacy of the design to meet the system demand. A design report provides information such as water pressure of existing waterline, minimum water pressure during fire flow, water capacity required to fulfill overall water needs, etc.

14 Certification Statement (To be completed by the Applicant's Agent in item 3 above)

I, James T. Wilson, certify that this Application for Approval to Construct and all attachments were prepared under my direction or authorization and all information is, to the best of my knowledge, true, accurate and complete. I also certify that the drinking water system described in this form is or will be constructed, designed, and operated in accordance with terms and conditions of the Drinking Water Systems (A.A.C. R18-5-505) and applicable requirements of Arizona Revised Statutes Title 49, Chapter 2, and Arizona Administrative Code Title 18, Chapter 5 regarding drinking water systems and sanitary facilities for subdivisions.

[Signature]
Signature of Applicant's Agent (Engineer or Consultant)

1/14/10
Date

15 Certification Statement (To be completed by the Applicant in item 2 above)

I, James T. Wilson, am aware that there are significant penalties for submitting false information including permit revocation as well as the possibility of fine and imprisonment for knowing violations. I hereby a) grant ADEQ permission to enter the site for inspections; b) authorize the Project Engineer to prepare and submit plan documents to the ADEQ Engineering Review Desk (if entered in item #3); and c) agree to construct the sanitary facilities according to the ADEQ Certificate of Approval and the approved plan documents.

[Signature]
Signature of Applicant (Owner or Developer)

1/14/10
Date



ARIZONA WATER COMPANY

Design Report for ADEQ

W.A. No. and/or Job Name: Selma Highway Extension

Project Description: Install approximately 760 l.f. of 6-inch D.I.P. and related fittings on Selma Highway.

Reason for Project: The project will serve parcel APN-503-26-025D.

Water Pressure Analysis: This project will increase demand on the existing system by 20 GPM peak domestic and 0 GPM for fire flow for a total increase of 20 GPM. Static pressure in the area is 62 psi. The decrease in pressure due to this additional demand will be less than 1 psi.

No pressure in the system will be less than the ADEQ minimum allowable pressure of 20 psi.

The system has adequate storage in conformance with State and Local requirements.

The system has adequate supply in conformance with State and Local requirements.

