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INTERVENTION

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BEFORE THE ARIZONA CORPORATION COMMISSION

CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER

Arizona Corporation Commission

DOCKETED

OCT 02 2000

DOCKETED BY [Signature]

DOCKET NO. WS-02987A-00-0618

IN THE MATTER OF THE APPLICATION)
OF JOHNSON UTILITIES, L.L.C., DBA)
JOHNSON UTILITIES COMPANY, FOR)
AN EXTENSION OF ITS CERTIFICATE)
OF CONVENIENCE AND NECESSITY TO)
PROVIDE WATER AND WASTEWATER)
SERVICE TO THE PUBLIC IN THE)
DESCRIBED AREA IN PINAL COUNTY,)
ARIZONA)

MOTION TO INTERVENE

1. Diversified Water Utilities, Inc. ("Diversified") hereby applies to the Arizona Corporation Commission ("Commission") for an order granting it leave to intervene in the above-captioned proceeding pursuant to A.A.C. R14-3-105 and the procedural orders issued in the above-captioned docket.

2. Diversified is an Arizona corporation certificated by this Commission to provide domestic water service in Sections 27, 34 and 35 T2S, R8E, and Sections 2, 3, 4, 9, 10, 11 and 12, T3S, R8E, Pinal County, Arizona.

3. Johnson Utilities, L.L.C., dba Johnson Utilities Company has filed a request to extend its Certificate of Convenience and Necessity to areas either within, contiguous to or in the vicinity of the areas certificated to Diversified including, without limitation, Sections 28, 29, 31, 32, 33 and 34, T2S, R8E and Sections 13, 14, 15 and 16, T3S, R8E, Pinal County, Arizona.

4. Diversified, as an alternative water provider in the area, is ready, willing and able to provide water service to the area sought to be certificated and will be directly and substantially affected by a decision or order of the Commission granting the application.

1 5. In order to fulfill its obligation to the public, including Diversified and the
2 customers served by Diversified, the Commission, pursuant to A.R.S. §§ 40-281 and 40-282,
3 must thoroughly examine, among other things, whether a public need and necessity exists for any
4 certificated water or sewer provider in the area, whether applicant is fit and a proper entity to
5 provide service in the area involved in the application and, whether the public interest will be
6 served by granting the monopolies requested by the applicant. The Commission must also
7 examine whether granting the application would interfere with the operation of existing
8 certificated entities in violation of A.R.S. § 40-281(B). These issues cannot be fully explored if
9 Diversified, an alternative water provider, is not granted intervention and provided an opportunity
10 to prepare for and participate in the hearing process.

11 6. The name, mailing address and telephone number of the person upon
12 whom service of all documents is to be made is:

13 William P. Sullivan, Esq.
14 Martinez & Curtis, P.C.
15 2712 North Seventh Street
16 Phoenix, Arizona 85006-1090
17 (602) 248-0372

18 **AND**

19 Diversified Water Utilities, Inc.
20 Post Office Box 17357
21 Phoenix, Arizona 85011
22 (602) 840-9400

23 Respectfully submitted this 2nd day of October, 2000.

24 MARTINEZ & CURTIS, P.C.

25 

26 _____
William P. Sullivan, Esq.
2712 North Seventh Street
Phoenix, Arizona 85006-1090
Attorneys for Diversified Water Utilities, Inc.

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**PROOF OF SERVICE AND
CERTIFICATE OF MAILING**

I hereby certify that on this 21st day of October, 2000, I caused the foregoing document to be served on the Arizona Corporation Commission by hand-delivering the original and ten (10) copies of said document to:

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

With copies of the foregoing
mailed/delivered this 21st day
of October, 2000 to:

Karen E. Nally
Assistant Chief Administrative Law Judge
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

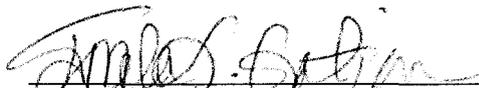
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