

ORIGINAL  
OPEN MEETING AGENDA ITEM



BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

RECEIVED

Arizona Corporation Commission

DOCKETED

GARY PIERCE – Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

2011 JUL 19 P 4:56

JUL 19 2011

AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION  
OF JOHNSON UTILITIES, LLC, DBA  
JOHNSON UTILITIES COMPANY FOR AN  
INCREASE IN ITS WATER AND  
WASTEWATER RATES FOR CUSTOMERS  
WITHIN PINAL COUNTY, ARIZONA.

DOCKET NO. WS-02987A-08-0180

NOTICE OF FILING PROPOSED FORM  
OF CUSTOMER NOTICE

Brownstein Hyatt Farber Schreck, LLP  
40 North Central Avenue, 14<sup>th</sup> Floor  
Phoenix, AZ 85004

Johnson Utilities, LLC, dba Johnson Utilities Company ("Johnson Utilities" or the "Company") hereby files as Attachment 1 a proposed form of customer notice regarding the Company's Petition to Amend Decision 71854 Pursuant to A.R.S. §40-252 (the "Petition") in this docket. The Commission's Utilities Division Staff ("Staff") and Legal Division have had substantive input in the preparation of the notice, and Staff legal counsel has informed counsel undersigned that the notice is acceptable to Staff. Johnson Utilities requests that the Commission approve the proposed notice in a procedural order.

RESPECTFULLY submitted this 19<sup>th</sup> day of July, 2011.

BROWNSTEIN HYATT FARBER SCHRECK LLP

Jeffrey W. Crockett, Esq.  
40 N. Central Ave., Fourteenth Floor  
Phoenix, Arizona 85004  
Attorneys for Johnson Utilities LLC

ORIGINAL and thirteen (13) copies of the foregoing filed this 19<sup>th</sup> day of July, 2011, with:

Docket Control  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

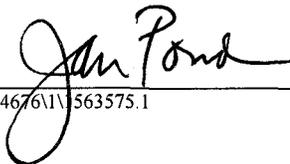
**Brownstein Hyatt Farber Schreck, LLP**  
40 North Central Avenue, 14<sup>th</sup> Floor  
Phoenix, AZ 85004

1 Copy of the foregoing hand-delivered  
2 this 19<sup>th</sup> day of July, 2011, to:  
3 Teena Jibilian, Administrative Law Judge  
4 Hearing Division  
5 ARIZONA CORPORATION COMMISSION  
6 1200 West Washington Street  
7 Phoenix, Arizona 85007  
8  
9 Janice Alward, Chief Counsel  
10 Legal Division  
11 ARIZONA CORPORATION COMMISSION  
12 1200 West Washington Street  
13 Phoenix, Arizona 85007  
14  
15 Steve Olea, Director  
16 Utilities Division  
17 ARIZONA CORPORATION COMMISSION  
18 1200 West Washington Street  
19 Phoenix, Arizona 85007  
20  
21 Daniel W. Pozefsky, Chief Counsel  
22 RESIDENTIAL UTILITY CONSUMER OFFICE  
23 1110 W. Washington Street, Suite 220  
24 Phoenix, Arizona 85007

25 COPY of the foregoing sent via e-mail and first  
26 class mail this 19<sup>th</sup> day of July, 2011, to:

27 Craig A. Marks, Esq.  
28 Craig A. Marks, PLC  
10645 North Tatum Boulevard  
Suite 200-676  
Phoenix, Arizona 85028

James E. Mannato, Esq.  
Town Attorney  
P.O. Box 2670  
775 North Main Street  
Florence, Arizona 85232-2670

25  
26   
27  
28

14676\1\563575.1

# **ATTACHMENT 1**

## NOTICE

### PUBLIC NOTICE OF PUBLIC COMMENT MEETING AND OPEN MEETING

#### Regarding

Johnson Utilities, LLC, dba Johnson Utilities Company's Petition to Amend Decision No. 71854 Pursuant to A.R.S. § 40-252 (Docket No. WS-02987A-08-0180).

#### Summary

On March 31, 2008, Johnson Utilities, LLC, dba Johnson Utilities Company ("Johnson" or "Company") filed a rate application ("Rate Application") with the Arizona Corporation Commission ("Commission") for its water and wastewater utility services using a 2007 test year. On August 25, 2010, the Commission issued Decision No. 71854 approving decreases in the rates and charges for Johnson Utilities, LLC, dba Johnson Utilities Company ("Johnson" or "Company"), which were effect retroactive to June 1, 2010. On February 28, 2011, Johnson Utilities filed a Petition to Amend Decision No. 71854 Pursuant to A.R.S. § 40-252 ("Petition") to increase the rates approved in Decision No. 71854 on the grounds that the Company is operating at a loss as a result of the new rates approved in Decision No. 71854.

#### Public Comment Meeting and Open Meeting

The Commission will hold a public comment meeting to take public comment regarding the Petition on **August 2, 2011, at 6:00 p.m.** at the Sun City Anthem at Merrill Ranch Union Center, 3925 Sun City Boulevard, Florence, Arizona 85132. The Commission will hold an **Open Meeting** to consider the Petition on **August 11, 2011, at 10:00 a.m.** at the Commission's offices located at 1200 West Washington Street, Phoenix, Arizona 85007. Written public comments may be submitted by mailing a letter referencing Docket No. WS-02987A-08-0180 to the Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, Arizona 85007, or by e-mail. For a form to use and instructions on how to e-mail comments to the Commission, go to [http://www.azcc.gov/divisions/utilities/forms/public\\_comment.pdf](http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf). If you require assistance, you may contact the Consumer Services Section at 602-542-4251 or 1-800-222-7000.

#### Water Division

Under the rates approved in Decision No. 71854, a residential customer with an average usage of 6,931 gallons per month with a ¾-inch water meter experienced a monthly rate decrease of \$12.78, or approximately 30.01%, from \$42.59 per month to \$29.81 per month. The Company's Petition requests an annual revenue increase for its water division of approximately \$264,823 over the revenues approved in Decision No. 71854. For a residential water customer with an average usage of 6,931 gallons per month, with a ¾-inch water meter, the Company's request would increase the monthly rate by \$1.05, or approximately 3.5%, from \$29.81 per month under Decision No. 71854 to \$30.86 per month. **The actual change in rates for individual customers would vary depending upon the type and quantity of service provided. You may contact the Company and request a calculation of the impact of its proposals on your account.**

#### Wastewater Division

Under rates approved in Decision No. 71854, a residential wastewater customer with a ¾-inch water meter experienced a monthly rate decrease of \$5.71, or approximately 14.83%, from \$38.50 per month to \$32.79 per month. The Company's Petition requests an annual revenue increase for its wastewater division of approximately \$1,872,398 over the revenues approved in Decision No. 71854. For a residential wastewater customer with a ¾-inch water meter, the Company's request would increase the monthly rate by \$6.41, or approximately 19.5%, from \$32.79 per month to \$39.20 per month. **The actual**

**change in rates for individual customers would vary depending upon the type and quantity of service provided. You may contact the Company and request a calculation of the impact of its proposals on your account.**

The Commission is not bound by the proposals made by the Company in its Petition; therefore, the final rates approved by the Commission may be higher or lower than the rates requested by Johnson.

**How You Can View or Obtain a Copy of the Petition**

Copies of the Petition are available from Johnson Utilities at 968 East Hunt Highway, Queen Creek, Arizona 85242 and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona, for public inspection during regular business hours and on the Internet via the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function.

**ADA/Equal Access Information**

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, e-mail [sbernal@azcc.gov](mailto:sbernal@azcc.gov), voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

14676\1\1563477.1