

ORIGINAL



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RECEIVED

DII-Emerald Springs, LLC  
212 E. Rowland Street #423  
Covina, CA 91723

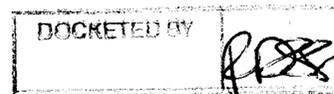
2011 NOV -9 P 2:49

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

NOV 9 2011



November 1, 2011

Docket Control Center  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

**RE: CERTIFICATION OF MAILING AND PUBLICATION-Docket No. WS-20794A-11-0140 at al**

WS-20794A-11-0279

DII-Emerald Springs, LLC ("DII") as per the PROCEDURAL ORDER dated 9/15/2011 and 10/6/2011, DII certifies as follows:

1. The notices to the HOA and every member individually were mailed via USPS on 10-5-2011 and 10/21/2011.
2. The newspaper PARKER PIONEER published the notice on 10-12-2011 and 10/26/2011 (see attached affidavit and copy of published notice)

If you need additional information, please contact me directly at 626-664-0602.

Sincerely,

DII-Emerald Springs, LLC  
Henry Melendez, President

**Affidavit of Proof of Publication**

**STATE OF ARIZONA**

**COUNTY OF LA PAZ**

SS

I, **Tina Parriera** being duly sworn, says that during the publication of the notice, as herein mentioned, she was and now is an Authorized Agent of **The Parker Pioneer**, a one-time week newspaper published on Wednesday of each and every week at the City of Parker, in La Paz county, State of Arizona. That said newspaper was printed and published as aforesaid on the following date, to-wit:

PUBLIC NOTICE

Published date:

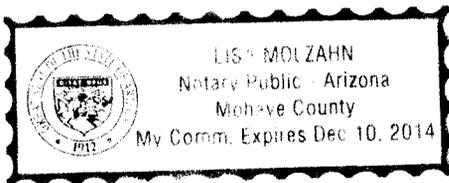
October 12, 2011

of which the annexed copy is a printed and true copy, was printed and inserted in each and every copy of said newspaper, printed and published on the date aforesaid, and in the body of said newspaper and not in a supplement thereof.

Tina Parriera  
Tina Parriera

Subscribed and sworn to before me this 14<sup>TH</sup> day of October 2011.

[Signature]  
Notary Public  
December 10, 2014  
My Commission Expires



**PUBLIC NOTICE OF HEARING  
ON THE APPLICATIONS OF DI-EMERALD  
ALD SPRINGS, L.L.C. FOR A CERTIFI-  
CATE OF CONVENIENCE AND NECES-  
SITY TO PROVIDE WASTEWATER SER-  
VICE AND FOR APPROVAL OF RATES,  
(Docket Nos. WS-20794A-11-0140 et al.)**

**Summary**  
On April 4, 2011, DI-Emerald Springs, L.L.C. ("DI") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("CC&N") to provide wastewater services in a service area adjacent to the Colorado River in Ehrenberg, approximately 45 miles south of Parker in La Paz County, Arizona. The service area encompasses the 54-lot Emerald Springs Subdivision ("Emerald Springs"), to which DI states it has been providing wastewater service since 2004. DI explained that it established a pack- aged plant on an emergency basis in 2004, with permission from the Arizona Department of Environmental Quality ("ADEQ"), but that the situation has become permanent. DI stated that it has been operating at a loss and that it has for the Commission to establish rates that will at least cover operating costs.

On July 15, 2011, DI filed a rate applica- tion, using a calendar year 2010 test year ("TY"). In its rate application, DI stated that the Emerald Springs Homeowners Association ("HOA") is DI's only customer; that the HOA's current monthly rate is \$3,041.18; and that DI had TY gross revenues of \$32,164.00 and TY operating expenses of \$10,962.61, but that many expenses have been subsidized or tempo- rarily suspended. DI did not propose any specific rates or level of revenue increase. DI also stated that DI owns, operates, and is responsible for only the actual sewer treatment plant and any process thereafter and that the HOA owns, operates, and maintains the entire collec- tion system, including the lift station and the pipes from the lift station to the sewer treatment plant.

DI's CC&N application and rate applica- tion have been consolidated into one mat- ter for the Commission's consideration and decision. The Commission's Utilities Division ("Staff") has not yet made any recommendations regarding DI's applica- tions. The Commission is not bound by the proposal, made by DI, Staff, or any inter- ventors. The Commission will issue a decision regarding DI's applications following consideration of testimony and evidence provided at an evidentiary hearing.

**How You Can View or Obtain a Copy of Each Application**  
Copies of the applications are available for inspection during regular business hours at the Commission's Docket Control Center in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and DI's offices at 212 E. Rowland Street #423, Covina, CA 91723. The applications are also available on the Internet via the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function.

**Arizona Corporation Commission Public Hearing Information**  
The Commission will hold a hearing on this matter beginning November 18, 2011, at 10:00 a.m., at the Commission's offices, Room 100, 1200 West Washington, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submit- ted by mailing a letter referencing Docket Nos. WS-20794A-11-0140 et al. to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 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/PublicCommentForm.pdf>. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or 602-542-4251.

**About Intervention**  
The law provides for an open public hear- ing at which, under appropriate circum- stances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substan- tial interest in the matter will be permitted to intervene. If you desire to intervene, you must file a written motion to intervene with the Commission no later than October 31, 2011. You must send a copy of the motion to intervene to DI or its coun- sel and to all parties of record. Your motion to intervene must contain the fol- lowing:

1. Your name, address, and telephone number and the name, address, and telephone number of any per- son upon whom service of docu- ments is to be made, if not yourself;
2. A short sentence of your interest in the proceeding (e.g., a potential customer of DI, property owner in the proposed service area, etc.); and
3. A statement certifying that you have mailed a copy of the motion to inter- vene to DI or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.C. R14-3-105, except that all motions to intervene must be filed on or before October 31, 2011. If repre- sentation by counsel is required by Arizona Supreme Court Rule 31, intervention will be conditioned upon the intervenor's obtaining counsel to represent the inter- ventor. For information about requesting intervention, visit the Commission's web- site at <http://www.azcc.gov/divisions/Utilities/forms/intervn.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other wit- nesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and pro- viding public comment on the application or from filing written comments in the record of the case.

**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 alter- native format, by contacting the ADA Coordinator, Shaylin Bernal, at [sbernal@azcc.gov](mailto:sbernal@azcc.gov), voice phone number (502) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.  
Publish: 10-12-2011

7542

**PUBLIC NOTICE OF HEARING  
ON THE APPLICATIONS OF DI-EMER-  
ALD SPRINGS, L.L.C. FOR A CERTIFI-  
CATE OF CONVENIENCE AND NECES-  
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DI's CC&N application and rate applica- tion have been consolidated into one mat- ter for the Commission's consideration and decision. The Commission's Utilities Division ("Staff") has not yet made any recommendations regarding DI's applica- tions. The Commission is not bound by the proposal, made by DI, Staff, or any inter- ventors. The Commission will issue a decision regarding DI's applications following consideration of testimony and evidence provided at an evidentiary hearing.

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2. A short sentence of your interest in the proceeding (e.g., a potential customer of DI, property owner in the proposed service area, etc.); and

7542

**Affidavit of Proof of Publication**

**STATE OF ARIZONA**

**COUNTY OF LA PAZ**

SS

I, **Tina Parriera** being duly sworn, says that during the publication of the notice, as herein mentioned, she was and now is an Authorized Agent of **The Parker Pioneer**, a one-time week newspaper published on Wednesday of each and every week at the City of Parker, in La Paz county, State of Arizona. That said newspaper was printed and published as aforesaid on the following date, to-wit:

PUBLIC NOTICE OF HEARING

Published date:

October 26, 2011

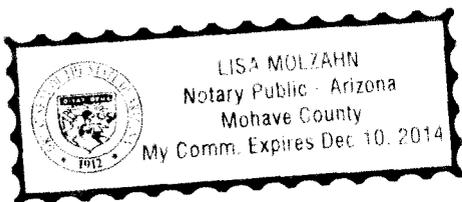
of which the annexed copy is a printed and true copy, was printed and inserted in each and every copy of said newspaper, printed and published on the date aforesaid, and in the body of said newspaper and not in a supplement thereof.

Tina Parriera  
Tina Parriera

Subscribed and sworn to before me this 28<sup>th</sup> day of October 2011.

[Signature]  
Notary Public

December 10, 2014  
My Commission Expires



**PUBLIC NOTICE OF HEARING  
ON THE APPLICATIONS OF DII-EMERALD  
ALD SPRINGS, L.L.C. FOR A CERTIFICATE  
OF CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICE  
AND FOR APPROVAL OF RATES.**  
(Docket Nos. WS-20794A-11-0140 et al.)

**Summary**

On April 4, 2011, DII-Emerald Springs, L.L.C. ("DII") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("CC&N") to provide wastewater service in a service area adjacent to the Colorado River in Ehrenberg, approximate 45 miles south of Parker in La Paz County, Arizona. The service area encompasses the 54-lot Emerald Springs Subdivision ("Emerald Springs"), to which DII states it has been providing wastewater service since 2004. DII explained that it established a packaged plant on an emergency basis in 2004, with permission from the Arizona Department of Environmental Quality ("ADEQ"), but that the situation has become permanent. DII stated that it has been operating at a loss and that it desires for the Commission to establish rates that will at least cover operating costs. On July 15, 2011, DII filed a rate application, using a calendar year 2010 test year ("TY"). In its rate application, DII stated that the Emerald Springs Homeowners Association ("HOA") is DII's only customer; that the HOA's currently monthly rate is \$3,041.18; and that DII had TY gross revenues of \$32,164.00 and TY operating expenses of \$10,962.61, but that many expenses have been subsidized or temporarily suspended. DII did not propose any specific rates or level of revenue increase. DII also stated that DII owns, operates, and is responsible for only the actual sewer treatment plant and any process thereafter and that the HOA owns, operates, and maintains the entire collection system, including the lift station and the pipes from the lift station to the sewer treatment plant.

DII's CC&N application and rate application have been consolidated into one matter for the Commission's consideration and decision. The Commission's Utilities Division ("Staff") has not yet made any recommendations regarding DII's applications. The Commission is not bound by the proposal, made by DII, Staff, or any intervenors. The Commission will issue a decision regarding DII's applications following consideration of testimony and evidence provided at an evidentiary hearing.

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1. Your name, address, and telephone number and the name, address, and telephone number of any person upon whom service of documents is to be made, if not yourself;
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Publish: 10-25-2011 7554

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