

ORIGINAL



0000140069

BEFORE THE ARIZONA CORPORATION C

COMMISSIONERS

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

AZ CORP COMMISSION
DOCKET CONTROL

2012 OCT 17 AM 9:30

IN THE MATTER OF THE APPLICATION OF DII-EMERALD SPRINGS, L.L.C. FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICES.

DOCKET NO. WS-20794A-11-0140

IN THE MATTER OF THE APPLICATION OF DII-EMERALD SPRINGS, L.L.C. FOR APPROVAL OF RATES.

DOCKET NO. WS-20794A-11-0279

IN THE MATTER OF THE APPLICATION OF DOYLE THOMPSON FOR APPROVAL OF A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE SEWER SERVICES.

DOCKET NO. SW-20851A-12-0226

INTERVENOR HOA'S RESPONSE TO MOTION TO DISMISS AND STATUS UPDATE

COMES NOW Intervenor Emerald Springs Homeowners' Association, by and through counsel undersigned, and hereby responds to DII-Emerald Springs' Motion to Dismiss Doyle Thompson's CC&N application as follows:

Intervenor HOA respectfully requests that DII-Emerald Springs' Motion to Dismiss be *denied* in order to allow Mr. Thompson additional time to remedy all items of insufficiency. According to the Staff's Response to Motion to Dismiss and Status Update, Mr. Thompson is working with them and making progress towards achieving sufficiency. Thus, the HOA concurs with Staff's position that DII-Emerald Springs' Motion to dismiss be *denied*.

RESPECTFULLY SUBMITTED this 16 day of October, 2012.

CHURCHILL & LaBENZ

Arizona Corporation Commissioner

DOCKETED

OCT 17 2012

DOCKETED BY [Signature]

By:

[Signature]

Julie A. LaBenz
Churchill & LaBenz
1300 Joshua Ave., Ste. B
Parker, AZ 85344
(928) 669-6195
(928) 669-5376 (fax)
jlabenz@johnchurchill.com
Attorney for Emerald Springs HOA

1 Original and thirteen (13) copies
2 of the foregoing mailed
3 this 6 day of October, 2012, to:

4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington
7 Phoenix, Arizona 85007

8 Copy of the foregoing mailed
9 this 6 day of October, 2012, to:

10 Henry Melendez
11 DII-Emerald Springs, L.L.C.
12 212 East Rowland Street, No. 423
13 Covina, CA 97723
14 diigroup@aol.com

15 Steve Wene
16 MOYES SELLERS & HENDRICKS
17 1850 N. Central Ave., Ste. 1100
18 Phoenix, AZ 85004
19 Attorney for Robhana, Inc. and Charles Dunn Capital, Inc.

20 Doyle Thompson
21 COPPER STATE GAME CLUB, R.V. AND MOBILE HOME PARK
22 P.O. Box 287
23 Ehrenberg, AZ 85334

24 Janice Alward, Chief Counsel
25 Legal Division
26 ARIZONA CORPORATION COMMISSION
27 1200 West Washington Street
28 Phoenix, AZ 85007

Steven M. Olea, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

Arizona Reporting Service, Inc.
2200 North Central Ave., Suite 502
Phoenix, AZ 85004-1481

By: 
