

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

- BOB STUMP-Chairman
- GARY PIERCE
- BRENDA BURNS
- BOB BURNS
- SUSAN BITTER SMITH

AZ CORP COMMISSION  
DOCKET 0000143624

2013 MAR 20 PM 1 51

IN THE MATTER OF THE APPLICATION OF JOHNSON UTILITIES, L.L.C. FOR AN EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR WATER AND SEWER SERVICES.

DOCKET NO. WS-02987A-12-0136

NOTICE OF FILING  
AFFIDAVIT OF PUBLICATION AND  
AFFIDAVIT OF MAILING NOTICE

Brownstein Hyatt Farber Schreck, LLP  
One East Washington, Suite 2400  
Phoenix, AZ, 85004

In accordance with the Procedural Order dated February 12, 2013, Johnson Utilities, L.L.C. ("Johnson Utilities") caused notice of its application in this docket and the hearing date to be published in the *Florence Reminder and Blade-Tribune* and in the *Casa Grande Dispatch* on March 7, 2013. These newspapers have general circulation in the proposed new service territory. The Affidavit of Publication from the *Florence Reminder and Blade-Tribune* is attached hereto as Attachment 1 and the Affidavit of Publication from the *Casa Grande Dispatch* is attached hereto as Attachment 2. In addition, Johnson Utilities sent notice of the application and the hearing date via first class mail to each property owner within the proposed new service territory. A copy of the Affidavit of Mailing of Notice signed by Daniel R. Hodges is attached hereto as Attachment 3.

RESPECTFULLY submitted this 20<sup>th</sup> day of March, 2013.

Arizona Corporation Commission  
DOCKETED  
MAR 20 2013  
DOCKETED BY [Signature]

BROWNSTEIN HYATT FARBER SCHRECK LLP

Jeffrey W. Crockett, Esq.  
One East Washington Street, Suite 2400  
Phoenix, Arizona 85004  
Attorneys for Johnson Utilities, L.L.C.

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1 ORIGINAL and thirteen (13) copies of the  
2 foregoing filed this 20<sup>th</sup> day of March, 2013, with:

3 Docket Control  
4 ARIZONA CORPORATION COMMISSION  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

7 Copy of the foregoing hand-delivered  
8 this 20<sup>th</sup> day of March, 2013, to:

9 Yvette B. Kinsey, Administrative Law Judge  
10 Hearing Division  
11 ARIZONA CORPORATION COMMISSION  
12 1200 West Washington Street  
13 Phoenix, Arizona 85007

14 Janice Alward, Chief Counsel  
15 Legal Division  
16 ARIZONA CORPORATION COMMISSION  
17 1200 West Washington Street  
18 Phoenix, Arizona 85007

19 Steve Olea, Director  
20 Utilities Division  
21 ARIZONA CORPORATION COMMISSION  
22 1200 West Washington Street  
23 Phoenix, Arizona 85007

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# **ATTACHMENT 1**

# Affidavit of Publication

STATE OF ARIZONA  
COUNTY OF PINAL

SS.

IN THE MATTER OF THE APPLICATION OF JOHNSON UTILITIES, L.L.C. FOR APPROVAL TO EXTEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR WATER AND WASTEWATER SERVICES.

(DOCKET NO. WS-02987 A-12-0136)

On April 6, 2012, Johnson Utilities, L.L.C., ("Johnson" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for approval to extend its Certificate of Convenience and Necessity ("CC&N") to include Bella Vista North and Merrill Ranch Expansion #1. The Commission's Utilities Division Staff ("Staff") has not yet made a recommendation regarding Johnson's application, and the Commission is not bound by the proposals made by Johnson, Staff, or any intervenors. The Commission will issue a Decision regarding Johnson's application following consideration of testimony and evidence presented at an evidentiary hearing. Copies of the application, Staff Report, and any written objections to the Staff Report filed by the Company will be available at Johnson's offices (5230 E. Shea Blvd., Suite 200, Scottsdale, Arizona 85254); the Commission's Docket Control Center at 1200 West Washington Street, Phoenix, Arizona; and on the internet via the Commission's website (www.azcc.gov) using the e-Docket function.

The Commission will hold a hearing on Johnson Utilities' application on April 18, 2013, at 10:00 a.m. at the Commission's offices, Hearing Room No. 1, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by mailing a letter referencing Docket Number WS-02987A-12-0136 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Street, Phoenix, Arizona 85007. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or 602-542-4251.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you wish to intervene, you must file a written motion to intervene with the Commission and you must send copies of the motion to Johnson or its counsel, and to all parties of record in the case. Your motion to intervene must contain the following:

1. Your name, address, and telephone number and the name, address, and telephone number of any party upon whom service of documents is to be made, if not yourself;

2. A short statement of your interest in the proceeding (e.g., a customer of the Company, etc.); and

3. A statement certifying that you have mailed a copy of your motion to intervene to Johnson or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before March 22, 2013. If representation by counsel is required by Arizona Supreme Court Rule 31, intervention will be conditioned upon the intervenor's obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

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, at [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. No. of publications: 1; date of publication: March 7, 2013.

RUTH A. KRAMER

first being duly sworn

deposes and says: That he/she is a native born citizen of the United States of America, over 21 years of age, that I am an agent and/or publisher of the Florence Reminder and Blade-Tribune, a weekly newspaper published at Florence, Pinal County, Arizona, on Thursday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for ONE consecutive issues the first publication thereof having been on the 7TH

day of MARCH A.D., 2013

Second publication \_\_\_\_\_

Third publication \_\_\_\_\_

Fourth publication \_\_\_\_\_

Fifth publication \_\_\_\_\_

Sixth publication \_\_\_\_\_

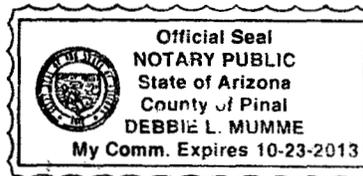
## FLORENCE REMINDER AND BLADE-TRIBUNE

By Ruth A. Kramer  
agent and/or publisher of the Florence Reminder and Blade-Tribune

Sworn to before me this 11th

day of March A.D., 2013  
Debbie L. Mumme

Notary Public in and for the County of Pinal, State of Arizona



# **ATTACHMENT 2**

STATE OF ARIZONA  
COUNTY OF PINAL

} SS.

**IN THE MATTER OF THE APPLICATION OF JOHNSON UTILITIES, L.L.C. FOR APPROVAL TO EXTEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR WATER AND WASTEWATER SERVICES.**

(DOCKET NO. WS-02987 A-12-0136)  
On April 6, 2012, Johnson Utilities, L.L.C., ("Johnson" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for approval to extend its Certificate of Convenience and Necessity ("CC&N") to include Bella Vista North and Merrill Ranch Expansion #1. The Commission's Utilities Division Staff ("Staff") has not yet made a recommendation regarding Johnson's application, and the Commission is not bound by the proposals made by Johnson, Staff, or any intervenors. The Commission will issue a Decision regarding Johnson's application following consideration of testimony and evidence presented at an evidentiary hearing. Copies of the application, Staff Report, and any written objections to the Staff Report filed by the Company will be available at Johnson's offices (5230 E. Shea Blvd., Suite 200, Scottsdale, Arizona 85254); the Commission's Docket Control Center at 1200 West Washington Street, Phoenix, Arizona; and on the internet via the Commission's website (www.azcc.gov) using the e-Docket function.

The Commission will hold a hearing on Johnson Utilities' application on April 18, 2013, at 10:00 a.m. at the Commission's offices, Hearing Room No. 1, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by mailing a letter referencing Docket Number WS-02987A-12-0136 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Street, Phoenix, Arizona 85007. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or 602-542-4251.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you wish to intervene, you must file a written motion to intervene with the Commission and you must send copies of the motion to Johnson or its counsel, and to all parties of record in the case. Your motion to intervene must contain the following:

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3. A statement certifying that you have mailed a copy of your motion to intervene to Johnson or its counsel and to all parties of record in the case.

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No. of publications: 1; date of publication: March 7, 2013.

**Affidavit of Publication**

RUTH A. KRAMER first being duly sworn deposes and says: That he/she is a native born citizen of the United States of America, over 21 years of age, that I am an agent and/or publisher of the Casa Grande Dispatch, a daily newspaper published at Casa Grande, Pinal County, Arizona, Tuesday through Sunday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for ONE issues the first publication thereof having been on the

7TH day of MARCH A.D., 2013

Second publication \_\_\_\_\_

Third publication \_\_\_\_\_

Fourth publication \_\_\_\_\_

Fifth publication \_\_\_\_\_

Sixth publication \_\_\_\_\_

**CASA GRANDE DISPATCH**

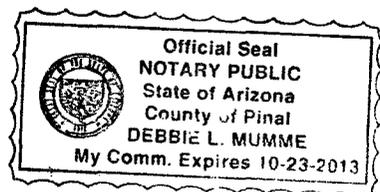
By [Signature]  
agent and/or publisher of the Casa Grande Dispatch

Sworn to before me this 11th

day of March A.D. 2013

[Signature]

Notary Public in and for the County of Pinal, State of Arizona



# **ATTACHMENT 3**

**AFFIDAVIT OF MAILING OF NOTICE**

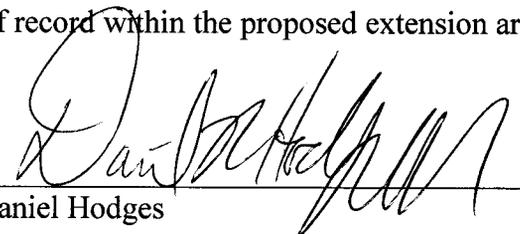
**STATE OF ARIZONA**     )  
  ) **ss:**  
**County of Maricopa**     )

I, Daniel Hodges, being first duly sworn, depose and state as follows:

1. I am a resident of Maricopa County. I am over 18 years of age and I make this affidavit based on my own personal knowledge.

2. I work for Johnson Utilities, L.L.C.

3. I certify that I complied, on behalf of Johnson Utilities, L.L.C., with the Procedural Order dated February 12, 2013, captioned *In the Matter of the Application of Johnson Utilities, L.L.C., for Approval to Extend its Certificates of Convenience and Necessity for Water and Wastewater Services* (Docket No. WS-02987A-12-0136) by mailing a copy of the notice attached hereto as Exhibit A to each property owner of record within the proposed extension area on or about March 6, 2013.

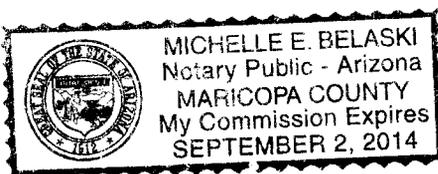
  
Daniel Hodges

SUBSCRIBED and sworn to before me this 7<sup>th</sup> day of March, 2013.

  
Notary Public

My Commission Expires:

Sept 2, 2014



# Exhibit A

**IN THE MATTER OF THE APPLICATION OF JOHNSON UTILITIES, L.L.C.**  
**FOR APPROVAL TO EXTEND ITS CERTIFICATE OF CONVENIENCE**  
**AND NECESSITY FOR WATER AND WASTEWATER SERVICES.**  
**(DOCKET NO. WS-02987A-12-0136)**

On April 6, 2012, Johnson Utilities, L.L.C., ("Johnson" or Company") filed with the Arizona Corporation Commission ("Commission") an application for approval to extend its Certificate of Convenience and Necessity ("CC&N") to include Bella Vista North and Merrill Ranch Expansion #1. The Commission's Utilities Division Staff ("Staff") has not yet made a recommendation regarding Johnson's application, and the Commission is not bound by the proposals made by Johnson, Staff, or any intervenors. The Commission will issue a Decision regarding Johnson's application following consideration of testimony and evidence presented at an evidentiary hearing. Copies of the application, Staff Report, and any written objections to the Staff Report filed by the Company will be available at Johnson's offices (5230 E. Shea Blvd., Suite 200, Scottsdale, Arizona 85254); the Commission's Docket Control Center at 1200 West Washington Street, Phoenix, Arizona; and on the internet via the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function.

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