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2016 MAY 27 P 4: 27

AZ CORP COMMISSION  
DOCKET CONTROL

1 SHAPIRO LAW FIRM, P.C.  
2 Jay L. Shapiro (No. 014650)  
3 1819 E. Morten Avenue, Suite 280  
4 Phoenix, Arizona 85020  
5 Telephone (602) 559-9575

6 LIBERTY UTILITIES  
7 Todd C. Wiley (No. 015358)  
8 12725 W. Indian School Road  
9 Suite D-101  
10 Avondale, AZ 85392  
11 Telephone: (623) 240-2087

12 Attorneys for Liberty Utilities (Black Mountain Sewer) Corp.

13 **BEFORE THE ARIZONA CORPORATION COMMISSION**

14 IN THE MATTER OF THE APPLICATION  
15 OF LIBERTY UTILITIES (BLACK  
16 MOUNTAIN SEWER) CORP. FOR  
17 APPROVAL OF AN EXTENSION OF A  
18 CERTIFICATE OF CONVENIENCE AND  
19 NECESSITY TO PROVIDE WASTEWATER  
20 UTILITY SERVICE IN MARICOPA  
21 COUNTY, ARIZONA.

DOCKET NO: SW-02361A-16-0067

**NOTICE OF FILING  
CERTIFICATION OF  
PUBLICATION AND PROOF OF  
MAILING**

22 Pursuant to the Procedural Order issued on April 12, 2016, Liberty Utilities (Black  
23 Mountain Sewer) Corp. ("Liberty Black Mountain") hereby submits this Notice of Filing  
24 Certification of Publication and Proof of Mailing in the above-captioned matter.

25 On April 22, 2016 Liberty Black Mountain mailed the notice of hearing to the  
26 property owner in the proposed extension area. The Affidavit of Linda Byrd is attached as  
**Exhibit A.**

On April 27, 2016 Liberty Black Mountain published notice in the *Foothills Focus*.  
The Affidavit/Proof of Publication of John Alexander, publisher of the *Foothills Focus*, is  
attached as **Exhibit B.**

Arizona Corporation Commission

**DOCKETED**

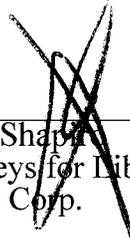
MAY 27 2016

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RESPECTFULLY SUBMITTED this 27th day of May, 2016.

SHAPIRO LAW FIRM, P.C.

By  \_\_\_\_\_  
Jay L. Shapiro  
Attorneys for Liberty Utilities (Black Mountain  
Sewer) Corp.

and

LIBERTY UTILITIES  
Todd C. Wiley  
Assistant General Counsel

**ORIGINAL** and thirteen (13) copies  
of the foregoing were filed  
this 27th day of May, 2016, with:

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

**COPY** of the foregoing was hand-delivered  
this 27th day of May, 2016, to:

Sasha Paternoster, ALJ  
Hearing Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, AZ 85007

**COPY** of the foregoing was emailed & hand-delivered  
this 27th day of May, 2016, to:

Robin Mitchell  
Legal Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, AZ 85007  
rmitchell@azcc.gov

By:  \_\_\_\_\_

# **EXHIBIT A**

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**AFFIDAVIT OF LINDA BYRD**

Linda Byrd, being duly sworn, deposes and says:

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

2. I am Customer and Community Care Manager for Liberty Utilities.

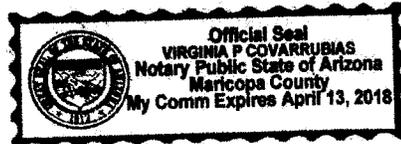
3. Pursuant to the Procedural Order dated April 12, 2016, on April 22, 2016 Liberty Utilities (Black Mountain Sewer) Corp. mailed the notice of hearing to the property owner in the proposed extension area. A copy of the notice and proof of mailing are attached as **Exhibit 1**.

Linda Byrd  
Linda Byrd

SUBSCRIBED and sworn to before me this 27 day of May, 2016.

Virginia P. Covarrubias  
Notary Public

My Commission Expires: April 13, 2018



# EXHIBIT 1



12725 W. Indian School Rd., Suite D101, Avondale, Arizona 85392



Master  
12/2/2016  
US POSTAGE

7008 0150 0003 3182 3



0

Mr. Rich Eneim  
Keystone at Eastwood, LLC  
4025 S. McClintock Dr., 209  
Tempe, Arizona 85282

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .48
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	Included
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$3.93</b>

APR 22 2016  
Postmark Here  
USPS

Sent To: Mr. Rich Eneim  
 Street, Apt. No., or PO Box No.: 4025 S McClintock Dr 209  
 City, State, ZIP+4: Tempe AZ 85282

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<p> <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.  <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>[Signature]</i></p>	
<p>1. Article Addressed to:</p> <p>Mr. Rich Eneim Keystone at Eastwood, LLC 4025 S McClintock Dr, 209 Tempe AZ 85282</p>	<p>B. Received by (Printed Name)</p> <p><i>R. Eneim</i></p>	<p>C. Date of Delivery</p> <p><i>4-25</i></p>
<p>2. Article Number</p> <p>(Transfer from ser</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>7008 0150 0003 3182 3991</p>	<p>3. Service Type</p> <p> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. </p>	
	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

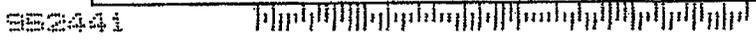
PHOENIX  
 UNITED STATES POSTAL SERVICE  
 AZ 850  
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 PM 10 L



First-Class Mail  
 Postage & Fees Paid  
 USPS  
 Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Liberty Utilities  
 12725 W. Indian School Rd.  
 Suite D101  
 Avondale, AZ 85392



**PUBLIC NOTICE OF HEARING ON THE APPLICATION OF  
LIBERTY UTILITIES (BLACK MOUNTAIN SEWER) CORP. FOR APPROVAL OF  
AN EXTENSION OF A CERTIFICATE OF CONVENIENCE AND NECESSITY  
TO PROVIDE WASTEWATER UTILITY SERVICE IN  
MARICOPA COUNTY, ARIZONA.  
DOCKET NO. SW-02361A-16-0067**

**Summary**

On February 24, 2016, Liberty Utilities (Black Mountain Sewer) Corp. ("Liberty Black Mountain") filed with the Arizona Corporation Commission ("Commission") an application requesting that the Commission approve an extension of its current Certificate of Convenience and Necessity ("CC&N") to provide wastewater utility service to include the Eastwood development in Maricopa County, Arizona.

The Commission's Utilities Division ("Staff") has not yet made a recommendation regarding the application. **The Commission is not bound by the proposals made by Liberty Black Mountain, Staff, or any intervenors.** The Commission will issue a Decision regarding the application following consideration of testimony and evidence presented by all parties at an evidentiary hearing.

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

Copies of the application and proposed rates are available from Liberty Black Mountain at its office, 12725 W. Indian School Road, Suite D-101, Avondale, AZ 85392; and on the Internet at [www.libertyutilities.com](http://www.libertyutilities.com); and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona, for public inspection during regular business hours; and on 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 **June 2, 2016, at 10:00 a.m.** at the Commission's offices, Hearing Room No. 1, 1200 West Washington, Phoenix, Arizona 85007. Public comments will be taken on the first day of hearing.

Written public comments may be submitted by mailing a letter referencing Docket No. **SW-02361A-16-0067** to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by submitting comments on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Submit a Public Comment for a Utility" function. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000.

**About Intervention**

The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene. An interested person may be granted intervention if the outcome of the case will directly and substantially impact the person, and the person's

intervention will not unduly broaden the issues in the case. Intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other parties' witnesses. However, failure to intervene will not preclude any interested 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.

To request intervention, you must file an **original and 13 hard copies** of a written request to intervene with Docket Control, 1200 West Washington, Phoenix, AZ 85007, **no later than May 23, 2016**. You also **must** serve a copy of the request to intervene on each party of record, on the same day that you file the request to intervene with the Commission. Information about intervention and sample intervention requests are available on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Intervention in Utility Cases" link.

Your request to intervene must contain the following:

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;
2. A reference to **Docket No. SW-02361A-16-0067**;
3. A short statement explaining:
  - a. Your interest in the proceeding (e.g., an owner of property in the proposed extension area, etc.),
  - b. How you will be directly and substantially affected by the outcome of the case, and
  - c. Why your intervention will not unduly broaden the issues in the case;
4. A statement certifying that you have served a copy of the request to intervene on the utility or its attorney and all other parties of record in the case; and
5. If you are not represented by an attorney who is active member of the Arizona State Bar, and you are not representing yourself as an individual, sufficient information and any appropriate documentation to demonstrate compliance with Arizona Supreme Court Rules 31, 38, 39, and 42, as applicable.

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 May 23, 2016. If representation by counsel is required by Arizona Supreme Court Rule 31, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor.

#### **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 [SAbernal@azcc.gov](mailto:SAbernal@azcc.gov), voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

# **EXHIBIT B**

AFFIDAVIT/PROOF OF PUBLICATION

STATE OF ARIZONA

} ss

County of Maricopa

John Alexander being duly sworn, deposes and says;

That he is the publisher of the Foothills Focus a newspaper published in New River,

Maricopa County, Arizona: that the

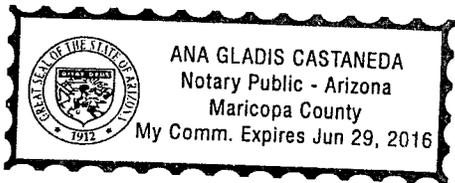
Public Notice of Hearing for Liberty

Utilities (Black Mountain Sewer) Corp a copy of which is hereunto attached, was first published in said newspaper in its issue date the 27<sup>th</sup> Day of April, 2016 and was published in each weekly issue of said newspaper for 1 consecutive week the last publication being in the issue date the 27<sup>th</sup> day of April, 2016.

John Alexander

Subscribed and sworn to before me this

27<sup>th</sup> day of April, 2016



Ana Gladis Castaneda

Notary Public

**PUBLIC NOTICE OF HEARING ON THE APPLICATION OF  
LIBERTY UTILITIES (BLACK MOUNTAIN SEWER) CORP. FOR APPROVAL OF  
AN EXTENSION OF A CERTIFICATE OF CONVENIENCE AND NECESSITY  
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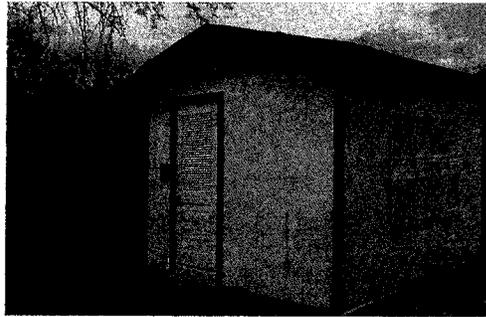
1. Your name, address, and telephone number, and the name, address, and telephone number of any person upon whom service of documents is to be made, if not yourself;
2. A reference to **Docket No. SW-02361A-16-0067**;
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## Cave Creek Museum ends season in May with special programs and events



**CAVE CREEK** – Cave Creek Museum's season comes to the end in May, but not without several special programs and events throughout the month. Start the month making crafts during a family program sponsored by the Kiwanis Club of Carefree, then learn about Cave Creek's Tuberculosis camps during a "History Highlights" program, see how the massive Stamp Mill crushes rocks in search for gold, and much more.

### Cave Creek Museum May events include:

**Hodge Podge Family Program**  
Sunday, May 1, 1:30-3 p.m.  
Join the Museum for a fun afternoon of creating unique crafts. Cave Creek Museum is grateful to the Kiwanis Club of Carefree for sponsoring the Family Programs.

**It's a Dry Heat:  
The Era of Cave Creek's  
Tuberculosis Camps**  
Saturday, May 14, 2-3 p.m.  
For several decades, Cave Creek played host to hundreds of health-seeking victims of lung ailments, such as TB, pleurisy, and mustard gas damage from the trenches of WWI. Where were the camps? What was life like in them? How did the citizens of Cave Creek react to the "lungers?" How many died and how many lived? Join Museum executive director Evelyn Johnson and docent Stephanie Bradley for this History Highlights program. Reservations are requested.

Stephanie Bradley photo  
Pictured: TB Cabin

**Historic Stamp Mill  
Demonstration**  
Sunday, May 15, 2-2:30 p.m.  
See the historic 1880 "Golden Reef Mine Stamp Mill" in action as volunteers crush hard rock ore in search of gold that can be separated and saved. The Museum is particularly pleased to showcase this 10-Stamp Mill that came from its own mining district and was originally located on Continental Mountain.

**Vino & Canvas**  
Wednesday, May 18, 6-8 p.m.  
The painting class for adults includes all materials. Tickets are \$35, with \$15 being donated to the Museum. Seating is limited. Register at [www.vinoandcanvas.com](http://www.vinoandcanvas.com).

**Final Day of the Season**  
Sunday, May 29, 1-4:30 p.m.  
Enjoy a last look at this season's exhibits.

Located at 6140 Skyline Dr., Cave Creek Museum features an extensive collection of prehistoric and historic artifacts that describe the lives of Native Americans, miners, ranchers, and pioneers. Museum hours are Wednesday-Sunday, 1-4:30 p.m., and Friday, 10 a.m.-4:30 p.m.

For more information, call (480) 488-2764, or visit [www.cavecreekmuseum.org](http://www.cavecreekmuseum.org).