

ORIGINAL



0000173795

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED  
AZ CORP COMMISSION  
DOCKET CONTROL

2016 OCT -3 P 4:52

**COMMISSIONERS**

DOUG LITTLE, Chairman Arizona Corporation Commission  
BOB STUMP  
BOB BURNS  
TOM FORESE  
ANDY TOBIN

**DOCKETED**

OCT 03 2016

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
WATER UTILITY OF GREATER TONOPAH,  
INC., AN ARIZONA CORPORATION, FOR AN  
EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY

DOCKET NO. W-02450A-06-0253

**MOTION FOR EXTENSION  
OF TIME**

Water Utility of Greater Tonopah, LLC<sup>1</sup> (“WUGT”) requests that the Commission approve an extension of time to complete certain compliance requirements under Decision No. 74819 (Nov. 13, 2014). That decision requires WUGT to file the following compliance items by December 31, 2016:

- 1) “a copy of the Designation of Assured Water Supply or a copy of the Developer’s Certificate of Assured Water Supply issued by the Arizona Department of Water Resources for the extension area”; and
- 2) “copies of the Certificates of Approval of Construction for its water source, treatment plant, storage tanks, and water distribution system, and a copy of the Discharge Authorization Letter related to its proposed water treatment plant”

WUGT requests that these requirements be extended until December 31, 2026.

This case concerns an extension of WUGT’s Certificate of Convenience and Necessity (“CC&N”) to serve the Balterra property in the far west valley of Maricopa County, near Tonopah.

<sup>1</sup> On June 28, 2016, Water Utility of Greater Tonopah converted from a corporation to a limited liability company (LLC) under the Arizona Entity Restructuring Act, A.R.S. § 29-2101 et seq. Under A.R.S. § 29-2406(A), after the conversion, the converted entity remains “the same entity without interruption” and all “property, including rights, privileges, immunities and powers, of the converting entity remains vested in the converted entity without assignment, reversion or impairment.” Water Utility of Greater Tonopah, LLC is in the process of preparing updated tariffs to reflect the conversion.

1 The development timetable in this area has been delayed due to economic developments. An  
2 affiliate of WUGT, Balterra Sewer, currently holds the wastewater CC&N for the Balterra  
3 property. Further, WUGT, Balterra Sewer and another affiliate hold CC&Ns for much of the  
4 nearby area.

5 WUGT and Balterra Sewer intend to provide the entire area with integrated water,  
6 wastewater, and recycled water services in accordance with the Total Water Management  
7 philosophy of their parent company, Global Water Resources, Inc. The Total Water Management  
8 philosophy emphasizes the use of "the right water for the right use", and promotes the use of  
9 recycled (reclaimed) water for non-potable uses. Total Water Management also emphasizes an  
10 integrated water management process looking at the entire water cycle (water-wastewater-recycled  
11 water) in a regional area. Total Water Management is especially important in this region, which is  
12 part of the Lower Hassayampa Sub Basin. WUGT, Balterra Sewer and Global Water have  
13 invested millions of dollars in planning and permitting in this region to prepare for serving this  
14 area.

15 Attached to this Motion are request for service letters from: (1) the Daniel and Jahna  
16 Boschma Living Trust and the Scott and Janna Van Sant Living Trust; and (2) Benross Corp. Pofit  
17 Sharing Plan and Trust and Balterra 493 L.L.L.P., the current owners of the Balterra property.  
18 These letters demonstrate that the property owners need water utility service and the letters request  
19 that the area remain in WUGT's CC&N. The letters cover the entire CC&N extension area  
20 granted in this docket.

21 WUGT requests an extension of time until December 31, 2026. This ten year extension of  
22 time is consistent with recent extensions granted by the Commission in CC&N cases.

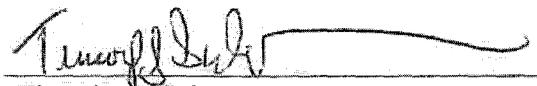
23 Accordingly, WUGT requests that the following deadlines be extended until December 31, 2026:

24 1) "a copy of the Designation of Assured Water Supply or a copy of the Developer's  
25 Certificate of Assured Water Supply issued by the Arizona Department of Water Resources for the  
26 extension area"; and  
27

1 2) "copies of the Certificates of Approval of Construction for its water source, treatment  
2 plant, storage tanks, and water distribution system, and a copy of the Discharge Authorization  
3 Letter related to its proposed water treatment plant".  
4

5 RESPECTFULLY submitted this 3<sup>rd</sup> day of October, 2016.  
6

7 SNELL & WILMER L.L.P.

8  
9 By   
10 Timothy J. Sabo  
11 One Arizona Center  
12 400 East Van Buren Street  
13 Phoenix, Arizona 85004

14 Attorney for Water Utility of Greater Tonopah,  
15 LLC.

16 Original + 13 copies of the foregoing  
17 filed this 3<sup>rd</sup> day of October, 2016 with:

18 Docket Control  
19 ARIZONA CORPORATION COMMISSION  
20 1200 West Washington  
21 Phoenix, Arizona 85007

22 Copies of the foregoing hand-delivered/mailed  
23 this 3<sup>rd</sup> day of October, 2016, to:

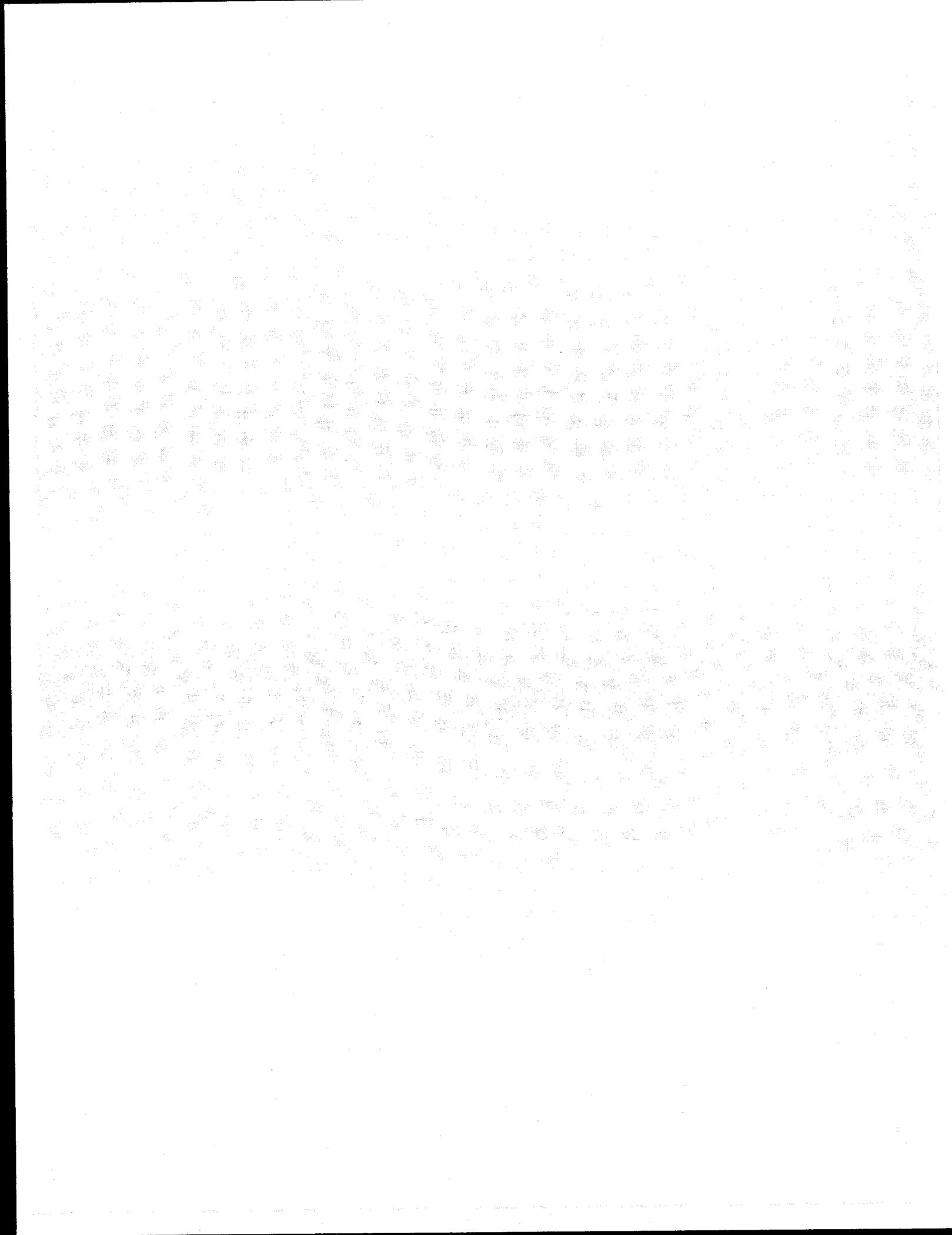
24 Yvette B. Kinsey  
25 Administrative Law Judge  
26 Hearing Division  
27 Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Janice Alward  
Legal Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

1 Thomas Broderick  
2 Director, Utilities Division  
3 Arizona Corporation Commission  
4 1200 West Washington  
5 Phoenix, Arizona 85007

6 Brian Bozzo  
7 Compliance Manager  
8 Utilities Division  
9 Arizona Corporation Commission  
10 1200 West Washington  
11 Phoenix, Arizona 85007

12  
13 By:     *Jacqueline Howard*      
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27



September 14, 2016

Ron Fleming, President  
Water Utility of Greater Tonopah, LLC  
21410 N. 19<sup>th</sup> Avenue, Suite 220  
Phoenix, AZ 85027

Re: Renewed Request for Service  
Docket No. 06-0253  
Boschma & Van Sant Trusts

Please accept this letter as a renewed request for service from Boschma & Van Sant Trusts for water utility service to the property more particularly described in Exhibit A attached hereto. It is our intention to continue to pursue the preliminary platting, rezoning and development of this planned area development located within the Certificate of Convenience and Necessity for Water Utility of Greater Tonopah, LLC.

Sincerely,

Daniel W. Boschma and Jahna R. Boschma, Trustee of the Daniel And Jahna Boschma Living Trust Dated June 7, 2012, as to an undivided 60% Interest



Signature of Authorized Representative

Printed Name: Daniel W. Boschma

Scott A. Van Sant and Janna P. Van Sant, as Trustee of the Scott and Janna Van Sant Living Trust Dated February 7, 2012, as to an undivided 40% Interest



Signature of Authorized Representative

Printed Name: Scott Van Sant

Attachment: Exhibit A – Legal Description



**BENROSS CORPORATION**

September 8, 2016

Mr. Ron Fleming, President  
Water Utility of Greater Tonopah, LLC  
21410 N. 19<sup>th</sup> Avenue, Suite 220  
Phoenix, AZ 85027

Re: Renewed Request for Service  
Docket No. 06-0253  
Benross Corporation Profit Sharing Plan and Trust/Balterra 593, L.L.L.P.

Dear Mr. Fleming:

Please accept this letter as a renewed request for service from Benross Corporation Profit Sharing Plan and Trust/Balterra 593, L.L.L.P. for water utility service to the property more particularly described in Exhibit A attached hereto. It is our intention to continue to pursue the preliminary platting, rezoning and development of this planned area development located within the Certificate of Convenience and Necessity for Water Utility of Greater Tonopah, LLC.

Sincerely,

Benross Corp Profit Sharing Plan and Trust/  
Balterra 493 L.L.L.P.

MB/mj

Attachment: Exhibit A - Legal Description



**BENROSS CORPORATION**

September 8, 2016

Mr. Ron Fleming, President  
Water Utility of Greater Tonopah, LLC  
21410 N. 19<sup>th</sup> Avenue, Suite 220  
Phoenix, AZ 85027

Re: Renewed Request for Service  
Docket No. 06-0253  
Ben-Horin Family Trust/Balterra 593 L.L.L.P.

Dear Mr. Fleming:

Please accept this letter as a renewed request for service from Ben-Horin Family Trust/Balterra 593 L.L.L.P. for water utility service to the property more particularly described in Exhibit A attached hereto. It is our intention to continue to pursue the preliminary platting, rezoning and development of this planned area development located within the Certificate of Convenience and Necessity for Water Utility of Greater Tonopah, LLC.

Sincerely,

Ben-Horin Family Trust/  
Balterra 593 L.L.L.P.

MB/mj

Attachment: Exhibit A - Legal Description