

ORIGINAL

INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

TOM FORESE, Chairman
BOB BURNS
ANDY TOBIN
BOYD DUNN
JUSTIN OLSON

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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

JAN 5 2018

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF JOHNSON UTILITIES, L.L.C. FOR A DETERMINATION OF THE FAIR VALUE OF ITS WATER AND WASTEWATER UTILITY PLANT AND PROPERTY, FOR INCREASES IN ITS RATES AND CHARGES FOR WATER AND WASTEWATER UTILITY SERVICE, AND FOR RELATED APPROVALS.

DOCKET NO. WS-02987A-17-0392

**MOTION TO INTERVENE
AND
CONSENT TO EMAIL SERVICE**

MOTION TO INTERVENE

Swing First Golf, LLC, ("Swing First"), hereby moves to intervene in the above-captioned docket.

I. Description of Intervenor

Swing First owns and operates the Johnson Ranch Golf Course in Pinal County, Arizona. To irrigate the golf course, Swing First receives and pays for effluent delivered by Johnson Utilities, LLC, ("Utility") at rates approved by the Arizona Corporation Commission ("Commission"). Swing First is informed and believes that it is one of Utility's largest effluent customers. Utility also provides water and wastewater service to Swing First.

II. Interest in Proceeding

In this docket, Utility is asking the Commission to determine that it does not have jurisdiction over Utility's effluent sales, which would allow Utility free rein to discontinue effluent deliveries to Swing First, or alternatively to charge whatever it pleased for effluent sales. Alternatively, Utility is asking authority to more than triple the rates it charges for effluent deliveries to Swing First. Either alternative would be catastrophic for Swing First and could force Swing First out of business. Closing the golf course would substantially affect the property

1 values for thousands of homes in the Johnson Ranch community. Further, Utility asks for large
2 increases in the rates Swing First would pay for water and wastewater service, which would
3 further affect Swing First's ability to continue operations.

4 No other party can adequately represent Swing First's interests in this case.

5 **III. Requested Relief**

6 Swing First asks that the Commission grant its Motion to Intervene.

7 **CONSENT TO EMAIL SERVICE**

8 By its attorney's signature below, Swing First Golf, LLC, ("Swing First") hereby
9 consents to receive service of all filings in the above-captioned docket, including all filings by
10 parties and all Procedural Orders and Recommended Opinions and Orders/Recommended Orders
11 issued by the Commission's Hearing Division, via email sent to the email addresses set forth
12 below.

13 Swing First certifies that the email addresses set forth below are valid and active email
14 addresses to which it has regular and reliable access.

15 Swing First further certifies that it has sent or will promptly send emails to
16 HearingDivisionServicebyEmail@azcc.gov from the email addresses set forth below.

17 Swing First understands that a Procedural Order approving the use of email service will
18 be issued in this matter upon verification by the Hearing Division that the party's emails to
19 HearingDivisionServicebyEmail@azcc.gov has been received.

20 Swing First further understands and agrees that service of a document to it shall be
21 complete upon the sending of an email containing the document to the email addresses set forth
22 below, regardless of whether it receives or reads the email containing the document.

23 Swing First further understands and agrees that it will no longer receive service in this
24 matter through First Class U.S. Mail or another form of hard-copy delivery, unless and until it
25 withdraws this consent through a filing made in the above-captioned docket.

26 Party email addresses:

- 27
- CraigAMarksPLC@gmail.com

1 • Dave@swingfirst.co

2 • Jeff@swingfirst.co

3 **Motion to Intervene and Consent to Email Service** respectfully submitted on January
4 5, 2018, by:

5
6 

7
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14 Attorney for Swing First Golf, LLC
15

16 **Original** and 13 copies **filed**
17 on January 5, 2018, with:

18
19 Docket Control
20 Arizona Corporation Commission
21 1200 West Washington
22 Phoenix, Arizona 85007
23

24 **Copies emailed**
25 on January 5, 2018, to:

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27 Jeff@jefferycrockettlaw.com
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30 gdrummond@azvision.net