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BEFORE THE ARIZONA CORPORATION

25H

COMMISSIONERS

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MARC SPITZER, Chairman  
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JEFF HATCH-MILLER  
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KRISTIN K. MAYES

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AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
LAS QUINTAS SERENAS WATER CO. FOR A  
RATE INCREASE

DOCKET NO. W-01583A-04-0178

RATE CASE  
PROCEDURAL ORDER

BY THE COMMISSION:

On March 9, 2004, Las Quintas Serenas Water Company ("Company") filed the above-captioned rate application with the Arizona Corporation Commission ("Commission").

On April 8, 2004, the Commission's Utilities Division Staff ("Staff") filed a letter indicating the Company's rate application was sufficient, and classifying the Company as a Class C utility.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall commence on **October 13, 2004, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, **Room 222**, 400 West Congress, Tucson, Arizona 85701.

IT IS FURTHER ORDERED that the Staff Report and/or any direct testimony and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before **August 20, 2004.**

IT IS FURTHER ORDERED that any direct testimony and associated exhibits to be presented at hearing on behalf of intervenors shall be reduced to writing and filed on or before **August 20, 2004.**

Arizona Corporation Commission  
**DOCKETED**

APR 20 2004

DOCKETED BY

1 IT IS FURTHER ORDERED that any rebuttal testimony and associated exhibits to be  
2 presented at hearing by the Company shall be reduced to writing and filed on or before **September**  
3 **17, 2004.**

4 IT IS FURTHER ORDERED that any surrebuttal testimony and associated exhibits to be  
5 presented by the Staff and/or intervenors shall be reduced to writing and filed on or before **October**  
6 **1, 2004.**

7 IT IS FURTHER ORDERED that any rejoinder testimony and associated exhibits to be  
8 presented at the hearing shall be presented orally at the hearing.

9 IT IS FURTHER ORDERED that any objections to any testimony or exhibits which have  
10 been prefiled as of October 1, 2004, shall be made on or before October 5, 2004.

11 IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to  
12 pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is  
13 scheduled to testify.

14 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,  
15 except that all motions to intervene must be filed on or before August 15, 2004.

16 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and  
17 regulations of the Commission, except that through September 1, 2004, any objection to discovery  
18 requests shall be made within 7 days<sup>1</sup> of receipt and responses to discovery requests shall be made  
19 within 10 days of receipt; thereafter, objections to discovery requests shall be made within 5 days and  
20 responses shall be made in 7 days;<sup>1</sup> the response time may be extended by mutual agreement of the  
21 parties involved if the request requires an extensive compilation effort; and no discovery requests  
22 shall be served after October 5, 2004.

23 IT IS FURTHER ORDERED that, in the alternative to filing a written motion to compel  
24 discovery, any party seeking discovery may telephonically contact the Commission's Hearing  
25 Division to request a date for a procedural hearing to resolve the discovery dispute; that upon such a  
26 request, a procedural hearing will be convened as soon as practicable; and that the party making such  
27

28 <sup>1</sup> "Days" means calendar days.

1 a request shall forthwith contact all other parties to advise them of the hearing date and shall at the  
2 hearing provide a statement confirming that the other parties were contacted.<sup>2</sup>

3 IT IS FURTHER ORDERED that any motions filed in this matter that are not ruled upon by  
4 the Commission within 10 days of the filing date of the motion shall be deemed denied.

5 IT IS FURTHER ORDERED that any responses to motions shall be filed within five days of  
6 the filing date of the motion.

7 IT IS FURTHER ORDERED that any replies shall be filed within five days of the filing date  
8 of the response.

9 IT IS FURTHER ORDERED that the Company shall provide public notice of the hearing in  
10 this matter, in the following form and style:

11 **PUBLIC NOTICE OF HEARING ON THE**  
12 **RATE APPLICATION OF**  
13 **LAS QUINTAS SERENAS WATER COMPANY**  
14 **Docket No. W-01583A-04-0178**

15 On March 9, 2004, Las Quintas Serenas Water Company ("Company") filed an  
16 application with the Arizona Corporation Commission for an increase in its rates.  
17 Copies of the Company's application and proposed tariffs are available at its office and  
18 the Commission's offices for public inspection during regular business hours.

19 The Commission will hold a public hearing on this matter beginning **October 13,**  
20 **2004 at 10:00 a.m.** at the Commission's offices, Room 222, 400 West Congress  
21 Street, Tucson, Arizona. Public comments will be taken on the first day of the  
22 hearing.

23 The law provides for an open public hearing at which, under appropriate  
24 circumstances, interested parties may intervene. Intervention shall be permitted to any  
25 person entitled by law to intervene and having a direct and substantial interest in the  
26 matter. Persons desiring to intervene must file a written motion to intervene with the  
27 Commission no later than **August 15, 2004**. The motion to intervene must be sent to  
28 the Company or its counsel and to all parties of record, and shall contain the  
following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different from the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Company, a shareholder of the Company, etc.).

<sup>2</sup> The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations before seeking Commission resolution of the controversy.

3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

The granting of intervention, among other things, entitles a party to present sworn evidence at the 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. You will not receive any further notice of this proceeding unless you request it.

If you wish to make written comments objecting to, or supporting this application. Mail them to:

Arizona Corporation Commission  
Attention Docket Control  
Re: Las Quintas Serenas Water Co.  
W-01583A-04-0178  
1200 W.. Washington Street  
Phoenix, Arizona 85007

If you have any questions about this application, or want further information on intervention, you may contact the Consumer Services Section of the Commission at 1200 W. Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

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 Yvonne McFarlin at YMcFarlin@admin.cc.state.az.us, the ADA Coordinator, voice phone number 602/542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that the Company shall mail to each of its customers a copy of the above notice by June 1, 2004.

IT IS FURTHER ORDERED that the Company shall file certification of mailing as soon as practicable after the mailing has been completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing of same, notwithstanding the failure of an individual customer to read or receive the notice.

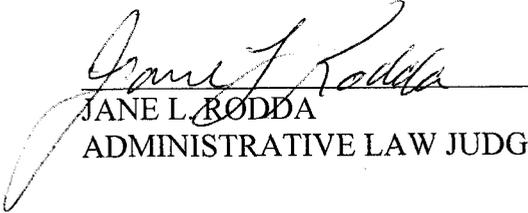
IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) applies to this proceeding and shall remain in effect until the Commission's Decision in this matter is final and non-appealable.

...  
...  
...

1 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
2 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

3 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
4 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

5 DATED this 16<sup>th</sup> day of April, 2004.

  
JANE L. RODDA  
ADMINISTRATIVE LAW JUDGE

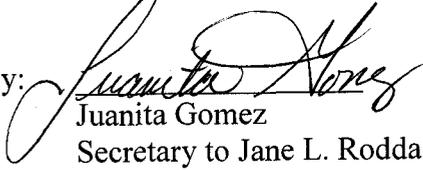
9 Copies of the foregoing mailed  
10 this 16<sup>th</sup> day of April, 2004 to:

11 Mr. Steve Gray  
12 General Manager/Operator  
13 Las Qunitas Serenas Water Company  
14 16965 Camino De Las Quntas  
15 P.O. Box 68  
16 Sahuarita, AZ 85629

17 Christopher Kempley, Chief Counsel  
18 Legal Division  
19 ARIZONA CORPORATION COMMISSION  
20 1200 W. Washington Street  
21 Phoenix, Arizona 85007

22 Ernest Johnson, Director  
23 Utilities Division  
24 ARIZONA CORPORATION COMMISSION  
25 1200 W. Washington Street  
26 Phoenix, Arizona 85007

27 Arizona Reporting Service, Inc.  
28 2627 N. Third Street, Suite Three  
Phoenix, Arizona 85004-1103

By:   
Juanita Gomez  
Secretary to Jane L. Rodda