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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission 25H

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COMMISSIONERS

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
THE LINKS AT COYOTE WASH UTILITIES,
L.L.C., FOR A CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE SEWER
SERVICE IN YUMA COUNTY, ARIZONA.

DOCKET NO. SW-04210A-03-0712

PROCEDURAL ORDER

BY THE COMMISSION:

On September 26, 2003, The Links at Coyote Wash Utilities, L.L.C. ("Company" or "Applicant"), filed an application for a Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public sewer utility service to various parts of Yuma County, Arizona.

On October 6, 2003, the Commission's Utilities Division ("Staff") issued a notice of insufficiency which indicated that the Company's application had not met the sufficiency requirements of A.A.C. R14-2-610(C).

On April 2, 2004, Staff issued a letter of administrative completeness.

In accordance with A.R.S. § 41-1074(A), the application herein is deemed administratively complete.

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 a hearing shall commence on May 20, 2004 at 9:30 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the Staff Report and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on May 7, 2004.

IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits

1 to be presented at hearing by Applicant shall be reduced to writing and filed on or before 4:00 p.m.
2 on May 14, 2004.

3 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
4 except that all motions to intervene must be filed on or before May 7, 2004.

5 IT IS FURTHER ORDERED that Applicant shall provide public notice of the hearing in this
6 matter, in the following form and style:

7 **PUBLIC NOTICE OF THE HEARING FOR**
8 **THE LINKS AT COYOTE WASH UTILITIES, L.L.C., FOR A**
9 **CERTIFICATE OF CONVENIENCE AND NECESSITY**
10 **SW-04210A-03-0712**

11 On September 26, 2003, The Links at Coyote Wash Utilities, L.L.C. ("Applicant")
12 filed an application for a Certificate of Convenience and Necessity to provide sewer
13 service to various parts of Yuma County, Arizona.

14 The application is available for inspection during regular business hours at the offices
15 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona
16 and at the Applicant's office, [insert office address].

17 The Commission will hold a hearing on this matter commencing on May 20, 2004 at
18 9:30 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix,
19 Arizona. Public comments will be taken on the first day of the hearing.

20 The law provides for an open public hearing at which, under appropriate
21 circumstances, interested parties may intervene. Intervention shall be permitted to
22 any person entitled by law to intervene and having a direct and substantial interest in
23 the matter. Persons desiring to intervene must file a written motion to intervene with
24 the Commission, which motion should be sent to Applicant or its counsel and to all
25 parties of record, and which, at the minimum, shall contain the following:

- 26 1. The name, address, and telephone number of the proposed intervenor and of
27 any party upon whom service of documents is to be made if different than the
28 intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,
a customer of Applicant, a shareholder of Applicant, a competitor, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed
to the Applicant 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 May 7, 2004. 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 customer from appearing at the hearing and making a statement on
such customer's own behalf.

If you have any questions or concerns about this application or have any objections
to its approval, or wish to make a statement in support of it, you may write the

1 Consumer Services Section of the Commission at 1200 West Washington Street,
2 Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make
3 comment.

4 The Commission does not discriminate on the basis of disability in admission to its
5 public meetings. Persons with a disability may request a reasonable accommodation
6 such as a sign language interpreter, as well as request this document in an alternative
7 format, by contacting Yvonne McFarlin, ADA Coordinator, voice phone number
8 602/542-3931, E-mail YMcFarlin@cc.state.az.us. Requests should be made as early
9 as possible to allow time to arrange the accommodation.

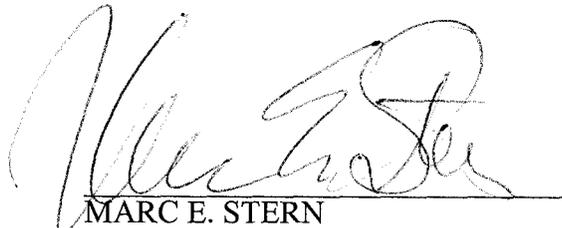
10 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be published at
11 least once in a newspaper of general circulation in its service territory, with publication to be
12 completed no later than April 30, 2004.

13 IT IS FURTHER ORDERED that Applicant shall file certification of publication as soon as
14 practicable after the publication has been completed.

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

17 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,
18 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
19 ruling at hearing.

20 DATED this 5th day of April, 2004.


21 MARC E. STERN
22 ADMINISTRATIVE LAW JUDGE

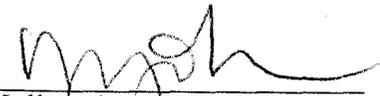
23 Copies of the foregoing mailed/delivered
24 this 5 day of April, 2004 to:

25 Joshua J. Meyer
26 11593 South Fortuna Road
27 Yuma, AZ 85367
28 Attorney for The Links at Coyote Wash
Utilities, L.L.C.

Ernest Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

By: 
Molly Johnson
Secretary to Marc Stern