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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

COMMISSIONERS

Arizona Corporation Commission

2003 NOV -5 P 3: 17

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AZ CORP COMMISSION DOCUMENT CONTROL

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

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
ASH FORK DEVELOPMENT ASSOCIATION,
INC. dba ASH FORK WATER SERVICE FOR A
RATE INCREASE.

DOCKET NO. W-01004B-03-0722

RATE CASE
PROCEDURAL ORDER

BY THE COMMISSION:

On September 30, 2003, Ash Fork Development Association, Inc. dba Ash Fork Water Service ("Company") filed the above-captioned rate application with the Arizona Corporation Commission ("Commission").

On October 14, 2003, the Company filed an amendment to the September 30, 2003 rate application.

On October 30, 2003, 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 **April 23, 2004, at 9:30 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington, Phoenix, Arizona 85007.

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 March 15, 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 March 15, 2004.

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 March 30,
3 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 April 6,
6 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 April 6, 2004, shall be made on or before April 13, 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 December 31, 2003.

16 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
17 regulations of the Commission, except that: any objection to discovery requests shall be made within
18 7 days¹ of receipt and responses to discovery requests shall be made within 10 days of receipt;
19 thereafter, objections to discovery requests shall be made within 5 days and responses shall be made
20 in 7 days;¹ the response time may be extended by mutual agreement of the parties involved if the
21 request requires an extensive compilation effort; and no discovery requests shall be served after
22 March 15, 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 ¹ "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.²

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 RATE APPLICATION OF**
12 **ASH FORK DEVELOPMENT ASSOCIATION, INC. dba ASH FORK WATER SERVICE**
Docket No. W-02105A-03-0303

13 On September 30, 2003, Ash Fork Development Association, Inc. dba Ash Fork Water
14 Service ("Company") filed an application with the Arizona Corporation Commission
15 for an increase in its rates. Copies of the Company's application and proposed tariffs
are available at its office and the Commission's offices for public inspection during
regular business hours.

16 The Commission will hold a public hearing on this matter beginning **April 23, 2004** at
17 9:30 a.m. at the Commission's offices, 1200 West Washington Street, Phoenix,
Arizona. Public comments will be taken on the first day of the hearing.

18 The law provides for an open public hearing at which, under appropriate
19 circumstances, interested parties may intervene. Intervention shall be permitted to any
20 person entitled by law to intervene and having a direct and substantial interest in the
21 matter. Persons desiring to intervene must file a written motion to intervene with the
Commission no later than **December 31, 2003**. The motion to intervene must be sent
to the Company or its counsel and to all parties of record, and shall contain the
following:

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

27
28 ² 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 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 MYMcFarlin@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 provide notice as follows:

- by mailing by December 5, 2003, a copy of the above notice to each of its customers;
- by publishing by December 5, 2003, a copy of the above notice in a newspaper of general circulation in the area; and
- by posting and/or distributing by December 5, 2003, copies of the above notice at the standpipe.

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

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

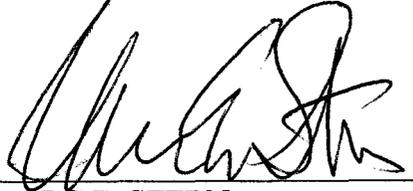
IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) applies to this proceeding and shall remain in effect until the Commission's Decision in this matter is final and non-appealable.

...
...

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 5TH day of November, 2003.

6
7
8 
9 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

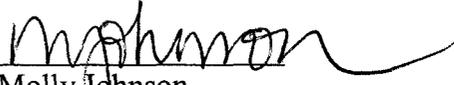
10 Copies of the foregoing mailed
11 this 5 day of November, 2003 to:

12 Lewis Hume, Manager
13 Ash Fork Development Association, Inc.
14 518 Lewis Avenue
15 P.O. Box 436
16 Ash Fork, AZ 86320-0436

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

20 Ernest Johnson, Director
21 Utilities Division
22 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85007

23 Arizona Reporting Service, Inc.
24 2627 N. Third Street, Suite Three
25 Phoenix, Arizona 85004-1103

26
27
28 By: 
Molly Johnson
Secretary to Marc E. Stern

RESTRICTED DELIVERY

SENDER:
 • Complete items 1, 2 and 3
 • Indicate if restricted delivery
 • Print your name to the left
 • Write Return Receipt Fee
 • The Return receipt Fee is
 delivery.

1. Article Addressed
Lewis Hume
Ash Fork L
518 Lewis
PO Box 43
Ash fork, 1

Received By: (Print

Signature - (Address

PS Form 3811

2664 0000 0010 2444 0912

RETURN RECEIPT SERVICE	POSTAGE	\$ 0.37	POSTMARK OR DATE
	RESTRICTED DELIVERY FEE	\$ 3.50	
	CERTIFIED FEE	\$ 2.30	
	RETURN RECEIPT FEE	\$ 0.00	
SENT TO:		TOTAL POSTAGE AND FEE	\$ 6.17

Lewis Hume, Manager
Ash Fork Development Association, Inc.
518 Lewis Avenue
PO Box 436
Ash fork, AZ 86320-0436

PS FORM 3800

W-01004B-03-0722



RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (SEE OTHER SIDE)

0984 0000 0010 2444 0912

RETURN RECEIPT SERVICE	POSTAGE	\$ 0.37	POSTMARK OR DATE
	RESTRICTED DELIVERY FEE	\$ 3.50	
	CERTIFIED FEE	\$ 2.30	
	RETURN RECEIPT FEE	\$ 0.00	
SENT TO:		TOTAL POSTAGE AND FEE	\$ 6.17

AZ Reporting Service, Inc.
2627 N. Third Street, Suite 3
Phoenix, AZ 85004-1104

PS FORM 3800

W-01004B-03-0722



RECEIPT FOR CERTIFIED MAIL

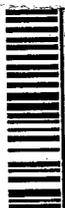
NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (SEE OTHER SIDE)

TURN RECEIPT

PS 1

CERTIFIED

0100 0000 4803



Postmaster for fee.

Restricted Delivery

to receive the fee (for an extra fee).

0084 0000 0010 2444 0912

REORDER FROM LASER SUBSTRATES INC 800-598-4900