

ORIGINAL



0000004610

BEFORE THE ARIZONA CORPORATION COMMISSION

25H

RECEIVED

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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

2004 MAY 12 P 2:24

MAY 12 2004

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
MONTEZUMA ESTATES PROPERTY OWNERS'
ASSOCIATION dba MONTEZUMA ESTATES
WATER COMPANY FOR APPROVAL OF THE
SALE OF ASSETS AND TRANSFER OF ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-02064A-04-0270
DOCKET NO. W-04254A-04-0270

PROCEDURAL ORDER

BY THE COMMISSION:

On April 9, 2004, Montezuma Estates Property Owners' Association dba Montezuma Estates Water Company ("Applicant" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for approval of the sale of its assets and transfer of its Certificate of Convenience and Necessity ("Certificate") to Montezuma Rimrock Water Company L.L.C. ("MRWC").

Pursuant to A.R.S. 41-1074(C), the application herein is deemed administratively complete.

In accordance with A.A.C. R14-3-101, the Commission now issues this Procedural Order which establishes the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that a hearing shall commence on July 8, 2004, at 9:30 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that Staff shall file a written Staff Report by June 24, 2004.

IT IS FURTHER ORDERED that Applicant shall file its comments, if any, to the Staff Report by July 1, 2004.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before June 25, 2004.

IT IS FURTHER ORDERED that Applicant shall serve public notice of this proceeding and the opportunity to request a hearing in this matter, in the following form and style:

1 Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make
2 comment.

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

9 IT IS FURTHER ORDERED that Applicant shall mail to its customers a copy of this notice
10 by first-class U.S. Mail, to begin as soon as possible and to be completed on or before June 11, 2004.

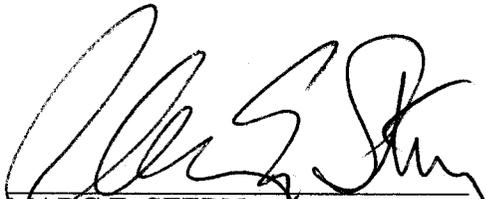
11 IT IS FURTHER ORDERED that Applicant shall file certification of mailing of notice as
12 soon as practicable after the mailing has been completed.

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

15 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized
16 Communications) applies to this proceeding as the matter is now set for public hearing.

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

19 DATED this 12TH day of May, 2004

20 
21 MARC E. STERN
22 ADMINISTRATIVE LAW JUDGE

23 Copies of the foregoing mailed
24 this 12 day May, 2004 to:

25 Montezuma Estates Property Owners Association
26 P.O. Box 592
27 Rimrock, AZ 86335

28 Peter O. Sanchez
60 Ridgcrest Road
Sedona, AZ 86351

Montezuma Rimrock Water Company LLC
P.O. Box 10
Rimrock, AZ 86335

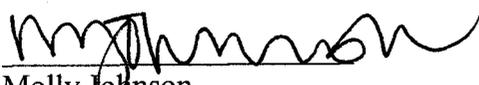
...

1 Patricia D. Arias
2 7209 W. Windrose Drive
3 Peoria, AZ 85381

4 Christopher Kempley, Chief Counsel
5 Legal Division
6 ARIZONA CORPORATION COMMISSION
7 1200 West Washington Street
8 Phoenix, Arizona 85007

9 Ernest Johnson, Director
10 Utilities Division
11 ARIZONA CORPORATION COMMISSION
12 1200 West Washington Street
13 Phoenix, Arizona 85007

14 ARIZONA REPORTING SERVICE, INC.
15 2627 N. Third Street, Suite Three
16 Phoenix, Arizona 85004-1003

17 By: 
18 Molly Johnson
19 Secretary to Marc E. Stern
20
21
22
23
24
25
26
27
28