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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

DOCKETED

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

2004 MAY 13 A 8:54

MAY 13 2004

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
EDWIN L. WETZLER DBA JAKE'S CORNER
WATER SYSTEMS FOR APPROVAL OF THE
SALE OF ITS ASSETS AND FOR THE
TRANSFER OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-04249A-04-0249
W-03745A-04-0249

PROCEDURAL ORDER

BY THE COMMISSION:

On April 1, 2004, Edwin L. Wetzler dba Jake's Corner Water Systems ("Applicant"), filed with the Arizona Corporation Commission ("Commission") an application for approval of the sale of its assets and the transfer of its Certificate of Convenience and Necessity ("Certificate") to Kacy J. Parker ("Application").

Pursuant to A.R.S. § 41-1074(C), 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 the hearing shall be held on **July 15, 2004 at 10:00**, 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 Commission's Utilities Division Staff ("Staff") shall file a Staff Report by **June 21, 2004**.

IT IS FURTHER ORDERED that the Applicants and any intervenors shall file any objections to the Staff Report by **July 6, 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 28, 2004**.

IT IS FURTHER ORDERED that objections to any motions to intervene must be filed by **July 8, 2004**.

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

3 **PUBLIC NOTICE OF THE HEARING FOR EDWIN L. WETZLER**
4 **DBA JAKE'S CORNER WATER SYSTEMS FOR APPROVAL OF**
5 **THE SALE OF ASSETS AND TRANSFER OF ITS**
6 **CERTIFICATE OF CONVENIENCE AND NECESSITY**
7 **Docket Nos. W-04249A-04-0249 and W-03745A-04-0249**

8 On April 1, 2004, Edwin L. Wetzler dba Jake's Corner Water Systems ("Applicant")
9 filed an application for approval of the sale of its assets and transfer of its CC&N.

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

13 The Commission will hold a hearing on this matter commencing on **July 15, 2004,**
14 **at 10:00 a.m.,** at the Commission's offices, 1200 West Washington Street, Phoenix,
15 Arizona. Public comments will be taken on the first day of the hearing.

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

- 22 1. The name, address, and telephone number of the proposed intervenor and of
23 any party upon whom service of documents is to be made if different than the
24 intervenor.
- 25 2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,
26 a customer of Applicant, a shareholder of Applicant, a competitor, etc.).
- 27 3. A statement certifying that a copy of the motion to intervene has been mailed
28 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 June 28, 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
Consumer Services Section of the Commission at 1200 West Washington Street,
Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make
comment.

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, ADA Coordinator, voice phone number 602-

1 542-3931, E-mail ymcfarlin@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

2 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be mailed to all of
3 its existing customers and published at least once in a newspaper of general circulation in its service
4 territory, with publication and mailing to be completed no later than **June 21, 2004**.

5 IT IS FURTHER ORDERED that Applicant shall file certification of publication and mailing
6 as soon as practicable after the publication has been completed but in no event later than **July 6,**
7 **2004**.

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

11 IT IS FURTHER ORDERED that all parties shall file with the Commission's Docket Control
12 Center, no later than **July 8, 2004**, a list of witnesses who will testify at the hearing and a description
13 of their areas of testimony

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

17 DATED this BT day of May, 2004.

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19 
20 AMANDA POPE
21 ADMINISTRATIVE LAW JUDGE

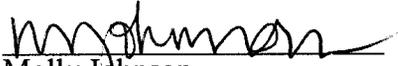
22 Copies of the foregoing mailed/delivered
23 this B day of May, 2004 to:

24 Edwin L. Wetzler
25 Jakes Corner Water Systems
26 HC1 Box 5273J
27 Payson, Arizona 85541

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

1 Ernest Johnson, Director
2 Utilities Division
3 ARIZONA CORPORATION COMMISSION
4 1200 West Washington Street
5 Phoenix, Arizona 85007

6 ARIZONA REPORTING SERVICE, INC.
7 2627 N. Third Street, Ste. Three
8 Phoenix, AZ 85004-1003

9 By: 
10 Molly Johnson
11 Secretary to Amanda Pope
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