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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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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

DOCKET NO. SW-04002A-02-0837
DOCKET NO. WS-02987A-02-0837

IN THE MATTER OF THE APPLICATION OF
ARIZONA UTILITY SUPPLY & SERVICES,
L.L.C., FOR THE TRANSFER OF A PORTION OF
ITS CERTIFICATE OF CONVENIENCE AND
NECESSITY TO JOHNSON UTILITIES, L.L.C.

PROCEDURAL ORDER

BY THE COMMISSION:

On November 8, 2002, Arizona Utility Supply & Service, L.L.C. ("Applicant") filed with the Arizona Corporation Commission ("Commission") an application for the transfer of a portion of its Certificate of Convenience and Necessity ("Certificate") to Johnson Utilities, LLC ("Johnson").

On August 27, 2003, Applicant filed an amended application.

On September 26, 2003, the Commission's Utilities Division ("Staff") filed an insufficiency letter.

On May 17, 2004, Staff filed its Staff Report recommending approval of the application subject to certain conditions.

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 9, 2004, at 10:00 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

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 July 2, 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 18, 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, but no later than June 25, 2004.

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 3rd day of June, 2004

20 

21 DWIGHT D. NODES
22 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

23 Copies of the foregoing mailed
24 this 3 day June, 2004 to:

25 Maurice Lee
26 Arizona Utility Supply & Services, LLC
27 4002 E. Taro Lane
28 Phoenix, AZ 85050

Lynn A. Keeling
DYER & FERRIS, LLC
3550 N. Central Ave, # 1801
Phoenix, AZ 85012-2114

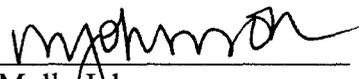
George Johnson
Johnson Utilities Co., LLC
5230 East Shea Blvd.
Phoenix, AZ 85253

1 Jay L. Shapiro
2 FENNEMORE CRAIG
3 3003 North Central Avenue, Ste. 2600
4 Phoenix, AZ 85012
5 Attorneys for Johnson Utilities Co., L.L.C.

6 Christopher Kempley, Chief Counsel
7 Legal Division
8 ARIZONA CORPORATION COMMISSION
9 1200 West Washington Street
10 Phoenix, Arizona 85007

11 Ernest Johnson, Director
12 Utilities Division
13 ARIZONA CORPORATION COMMISSION
14 1200 West Washington Street
15 Phoenix, Arizona 85007

16 ARIZONA REPORTING SERVICE, INC.
17 2627 N. Third Street, Suite Three
18 Phoenix, Arizona 85004-1003

19 By: 
20 Molly Johnson
21 Secretary to Dwight D. Nodes
22
23
24
25
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