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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

2004 OCT -5 P 12:00

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

OCT - 5 2004

DOCKETED BY *CHL*

IN THE MATTER OF THE APPLICATION OF
BEARDSLEY WATER COMPANY TO EXTEND
ITS CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-02074A-03-0608

PROCEDURAL ORDER

BY THE COMMISSION:

On August 26, 2003, Beardsley Water Company ("Company" or "Applicant"), filed an application for an extension of its Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public water utility service in various parts of Maricopa County, Arizona.

On September 18, 2003, the Commission's Utilities Division ("Staff") issued a notice that the application had not met the sufficiency requirements of A.A.C. R14-2-411(C).

On October 1, 2004, in lieu of a letter of administrative sufficiency, Staff filed its Staff Report.

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 November 4, 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 any objections to the Staff Report and associated exhibits to be presented at hearing by Applicant shall be reduced to writing and filed on or before 4:00 p.m. on October 29, 2004.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,

1 except that all motions to intervene must be filed on or before October 29, 2004.

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

4 **PUBLIC NOTICE OF THE HEARING FOR**
5 **BEARDSLEY WATER COMPANY FOR AN EXTENSION OF ITS**
6 **CERTIFICATE OF CONVENIENCE AND NECESSITY**
7 **Docket No. W-02074A-03-0608**

8 On August 26, 2003, Beardsley Water Company ("Applicant") filed an application
9 for an extension of its CC&N in various parts of Maricopa County, Arizona.

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 November 4,
14 2004, at 9:30 a.m. at the Commission's offices, 1200 West Washington Street,
15 Phoenix, 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 October 29, 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

1 format, by contacting the ADA Coordinator, voice phone number 602/542-3931, E-
2 mail YMcFarlin@cc.state.az.us. Requests should be made as early as possible to
3 allow time to arrange the accommodation.

4 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be published at
5 least once in a newspaper of general circulation in its service territory, with publication to be
6 completed no later than October 22, 2004.

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

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

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

14 DATED this 5TH day of October, 2004.

15 
16 MARC E. STERN
17 ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered
19 this 5TH day of October, 2004 to:

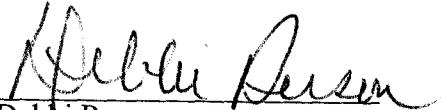
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32 1200 West Washington Street
33 Phoenix, Arizona 85007

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

5 ARIZONA REPORTING SERVICE, INC.
6 2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

7
8 By: 
9 Debbi Person
10 Secretary to Marc Stern
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