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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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Arizona Corporation Commission

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

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AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY	
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IN THE MATTER OF THE APPLICATION OF  
UTILITY SOURCE, L.L.C. FOR A CERTIFICATE  
OF CONVENIENCE AND NECESSITY TO  
PROVIDE WATER SERVICE IN COCONINO  
COUNTY, ARIZONA.

DOCKET NO. WS-04235A-04-0073

IN THE MATTER OF THE APPLICATION OF  
UTILITY SOURCE, L.L.C. FOR AUTHORITY TO  
ISSUE PROMISSORY NOTE(S) AND OTHER  
EVIDENCES OF INDEBTEDNESS PAYABLE AT  
PERIODS OF MORE THAN TWELVE MONTHS  
AFTER THE DATE OF ISSUANCE.

DOCKET NO. WS-04235A-04-0074

PROCEDURAL ORDER

**BY THE COMMISSION:**

On January 30, 2004, Utility Source, L.L.C. ("Utility Source" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an Application for Authority to Issue Promissory Note(s) and Other Evidences of Indebtedness in the amount of \$575,000 ("Financing Application").

On January 30, 2004, Utility Source additionally filed an Application for a Certificate of Convenience and Necessity to Provide Water and Wastewater Service in Coconino County, Arizona ("CC&N Application").

On July 20, 2004, the Commission's Utilities Division Staff ("Staff") filed a letter indicating that Utility Source's CC&N Application has met the sufficiency requirements outlined in Arizona Administrative Code.

On August 2, 2004, Utility Source filed a Motion to Consolidate the above referenced dockets based upon the fact that the Financing and CC&N Applications rely upon the same law, facts, and witnesses.

Staff did not file an objection to Utility Source's Motion to Consolidate.

1 IT IS THEREFORE ORDERED that the above-captioned matters shall be consolidated for  
2 the purposes of hearing.

3 IT IS FURTHER ORDERED that the hearing in the consolidated matter shall be held on  
4 **October 12, 2004 at 1:30 p.m.**, or as soon thereafter as is practical, at the Commission's offices,  
5 1200 West Washington Street, Phoenix, Arizona 85007.

6 IT IS FURTHER ORDERED that Staff shall file its *Staff Report* for the consolidated  
7 applications on or before September 22, 2004.

8 IT IS FURTHER ORDERED that the Applicant and any intervenors shall file any objections  
9 to the Staff Report on or before October 6, 2004.

10 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,  
11 except that all motions to intervene must be filed on or before September 22, 2004.

12 IT IS FURTHER ORDERED that objections to motions to intervene must be filed on or  
13 before September 29, 2004.

14 IT IS FURTHER ORDERED that Utility Source shall provide public notice of the hearing in  
15 this matter, in the following form and style, with the heading in no less than 10 point bold type and  
16 the body in no less than 8 point regular type:

17 **PUBLIC NOTICE OF HEARING ON THE CONSOLIDATED APPLICATIONS BY**  
18 **UTILITY SOURCE, L.L.C. FOR A CERTIFICATE OF CONVENIENCE**  
19 **AND NECESSITY TO PROVIDE WATER AND WASTEWATER SERVICE**  
20 **IN COCONINO COUNTY, ARIZONA AND FOR FINANCING**  
21 **DOCKET NOS. WS-04235A-04-0073 AND WS-04235A-04-0074**

22 On January 30, 2004, Utility Source, L.L.C. ("Utility Source") filed an application  
23 with the Arizona Corporation Commission ("Commission") for a Certificate of  
24 Convenience and Necessity ("Certificate") to provide water and wastewater service to  
25 certain areas within Coconino County, Arizona. On January 30, 2004, Utility Source  
26 filed an application for financing in the amount of \$575,000. The applications are  
27 being consolidated.

28 The applications are available for inspection during regular business hours at the  
offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix,  
Arizona and at the Company's offices, [insert applicants' addresses].

The Commission will hold a hearing on this matter on **October 12, 2004 at 1:30 p.m.**,  
or as soon thereafter as is practical, at the Commission's offices, 1200 West  
Washington, Phoenix, Arizona. As a property owner or customer you may have the  
right to intervene in the proceeding. If you do not want to intervene, you may appear

1 at the hearing and make a statement on your own behalf. Intervention shall be  
2 permitted to any person entitled by law to intervene and having a direct and substantial  
3 interest in the matter. Persons desiring to intervene must file a written notice to  
4 intervene with the Commission, which motion should be sent to the Applicants or their  
5 counsel and to all parties of record, and which, at the minimum, shall contain the  
6 following:

- 7 1. The name, address, and telephone number of the proposed intervenor  
8 and of any party upon whom service of documents is to be made if  
9 different than the intervenor.
- 10 2. A short statement of the proposed intervenors interest in the proceeding  
11 (e.g., a customer of the Applicants, a shareholder or member of the  
12 Applicants, etc.)
- 13 3. A statement certifying that a copy of the motion to intervene has been  
14 mailed to the Company or its counsel and to all parties of record in the  
15 case.

16 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that  
17 all motions to intervene must be filed on or before September 22, 2004. The granting of  
18 intervention, among other things, entitles a party to present sworn evidence at hearing  
19 and to cross-examine other witnesses. Failure to intervene will not preclude any person  
20 with interest in this proceeding from appearing at the hearing and making a statement on  
21 such person's own behalf. You will not, however, receive any further notice of the  
22 proceeding unless requested by you.

23 If you have any questions or concerns about this application or have any objections to its  
24 approval, or wish to make a statement in support of it, you may write the Consumer  
25 Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona  
26 85007 or call 1-800-222-7000 or appear at the hearing and make comment.

27 The Commission does not discriminate on the basis of disability in admission to its public  
28 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 602-542-3931, E-  
mail [ymcfarlin@cc.state.az.us](mailto:ymcfarlin@cc.state.az.us). Requests should be made as early as possible to allow  
time to arrange the accommodation.

IT IS FURTHER ORDERED that Utility Source shall cause the above notice to be mailed to  
all property owners in the proposed service area and published at least once in a newspaper of general  
circulation in its service territory, with mailing and publication to be completed no later than  
September 7, 2004.

IT IS FURTHER ORDERED that Utility Source shall file certification of mailing and  
publication as soon as practicable after the mailing and publication has been completed but not later  
than September 28, 2004.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and

1 publication of same, notwithstanding the failure of an individual property owner to read or receive  
2 the notice.

3 IT IS FURTHER ORDERED that all parties shall file with the Commission's Docket Control  
4 Center, no later than October 6, 2004, a list of witnesses who will testify at the hearing and a  
5 description of their area(s) of testimony.

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

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

10 DATED this 23<sup>rd</sup> day of August, 2004.

11   
12 AMANDA POPE  
13 ADMINISTRATIVE LAW JUDGE

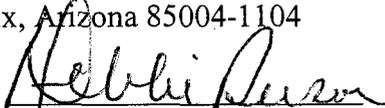
14  
15 Copies of the foregoing mailed  
this 23<sup>rd</sup> day of August, 2004 to:

16 Richard L. Sallquist  
17 Sallquist & Drummond, P.C.  
18 4500 S. Lakeshore Drive, Suite 339  
Tempe, Arizona 85252

19 Christopher Kempley, Chief Counsel  
20 Legal Division  
ARIZONA CORPORATION COMMISSION  
21 1200 West Washington Street  
Phoenix, Arizona 85007

22 Ernest Johnson, Director  
23 Utilities Division  
ARIZONA CORPORATION COMMISSION  
24 1200 West Washington Street  
Phoenix, Arizona 85007

25 ARIZONA REPORTING SERVICE, INC.  
26 2627 N. Third Street, Suite Three  
Phoenix, Arizona 85004-1104

27 By:   
28 Debbi Person  
Secretary to Amanda Pope