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BEFORE THE ARIZONA CORPORATION COMMISSION

251

COMMISSIONERS

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

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AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

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IN THE MATTER OF THE APPLICATION FOR APPROVAL OF THE SALE OF ASSETS AND TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY OF LITTLEFIELD WATER COMPANY TO BEAVER DAM WATER COMPANY.

DOCKET NO. W-03067A-04-0652
DOCKET NO. W-02298A-04-0652

IN THE MATTER OF THE APPLICATION OF BEAVER DAM WATER COMPANY FOR AN EXTENSION OF ITS EXISTING CERTIFICATE OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-03067A-04-0445

IN THE MATTER OF THE APPLICATION OF BEAVER DAM WATER COMPANY, INC. FOR APPROVAL OF LONG-TERM FINANCING.

DOCKET NO. W-03067A-04-0444

NOTICE OF INTERVENTION

BY THE COMMISSION:

On June 15, 2004, Beaver Dam Water Company ("Beaver Dam") filed with the Arizona Corporation Commission ("Commission") the above-captioned application for an extension of its Certificate of Convenience and Necessity ("CC&N") to provide water service in Mohave County, Arizona.

Also on June 15, 2004, Beaver Dam filed the above-captioned financing application.

On September 9, 2004, Beaver Dam filed an amendment to its June 15, 2004 CC&N extension application. The September 9, 2004 amendment included a request for additional territory and a request to consolidate the CC&N extension application with Beaver Dam's pending financing application.

Also on September 9, 2004, Beaver Dam and Littlefield Water Company ("Littlefield") filed the above-captioned application for the sale of assets and transfer of CC&N from Littlefield to Beaver Dam.

1 By Procedural Order of September 17, 2004, the above-captioned dockets were consolidated
2 for purposes of hearing, a hearing date was set, and Beaver Dam and Littlefield were ordered to
3 provide notice of the hearing on the consolidated applications.

4 Beaver Dam and Littlefield filed certification of public notice of the hearing on November 15,
5 2004.

6 On November 23, 2004, Bernice W. Evans, on behalf of Beaver Dam of Arizona Strip, LLC
7 and Beaver Dam Interchange, LLC, filed a Request to Intervene ("Intervention Request"). The
8 Intervention Request stated that the partners in Beaver Dam of Arizona Strip, LLC and Beaver Dam
9 Interchange, LLC object to Beaver Dam extending its CC&N to include five separate parcels of
10 property listed in the Intervention Request.

11 Because the Intervention Request did not indicate that a copy had been provided to Beaver
12 Dam or Littlefield, the Hearing Division mailed a copy of the Intervention Request to Beaver Dam
13 and Littlefield on November 24, 2004, with instructions to file any response by December 6, 2004.

14 On December 6, 2004, Beaver Dam filed an objection to the Intervention Request
15 ("Objection"). The Objection states that Beaver Dam does not intend to serve any of the property
16 referenced in the Intervention Request. Beaver Dam believes that the five parcels referenced in the
17 Intervention Request are located adjacent to, but outside, the extension area requested by Beaver
18 Dam.

19 The Intervention Request and the Objection both raise factual issues that can best be
20 addressed by all parties at the upcoming evidentiary hearing. The Intervention Request should
21 therefore be granted, so that all parties will have an opportunity to present evidence in support of
22 their respective positions. If after examination of the maps attached to the Objection, Beaver Dam of
23 Arizona Strip, LLC and Beaver Dam Interchange, LLC wish to withdraw their Intervention Request,
24 they may do so.

25 IT IS THEREFORE ORDERED that the Request to Intervene filed by Bernice W. Evans, on
26 behalf of Beaver Dam of Arizona Strip, LLC and Beaver Dam Interchange, LLC is hereby granted.

27 IT IS FURTHER ORDERED that if Beaver Dam of Arizona Strip, LLC and Beaver Dam
28 Interchange, LLC wish to withdraw their request to intervene, they shall make a filing in this docket

1 so stating. The docket filing shall include one original and 17 copies, and shall also be copied to all
2 parties on the attached service list.

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

5 DATED this 7th day of December, 2004.

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8 
9 TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered
11 this 7th day of December, 2004 to:

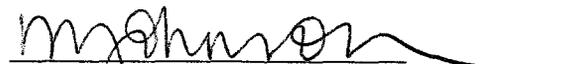
11 Bob Frisby, President
12 Beaver Dam Water Company
13 P.O. Box 550
14 Beaver Dam, Arizona 86432

13 Melvin Peterson, Director
14 Littlefield Water Company
15 P.O. Box 140
16 Littlefield, Arizona 86432

16 Bernice W. Evans
17 Beaver Dam of Arizona Strip, LLC
18 Beaver Dam Interchange, LLC
19 P.O. Box 133
20 Beaver Dam, AZ 86342

19 Christopher Kempley, Chief Counsel
20 Legal Division
21 ARIZONA CORPORATION COMMISSION
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22 Ernest G. Johnson, Director
23 Utilities Division
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26 By: 
27 Molly Johnson
28 Secretary to Teena Wolfe