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1 COMMISSIONERS

2 JEFF HATCH-MILLER, Chairman
3 WILLIAM A. MUNDELL
4 MARC SPITZER
5 MIKE GLEASON
6 KRISTIN K. MAYES

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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

JAN 24 2005

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7 BEFORE THE ARIZONA CORPORATION COMMISSION

7 IN THE MATTER OF THE APPLICATION) DOCKET NO. W-01445A-04-0755
8 OF ARIZONA WATER COMPANY, AN)
9 ARIZONA CORPORATION, TO EXTEND)
10 ITS EXISTING CERTIFICATES OF)
11 CONVENIENCE AND NECESSITY AT)
12 CASA GRANDE AND COOLIDGE, PINAL)
13 COUNTY, ARIZONA)

12 IN THE MATTER OF THE APPLICATION) DOCKET NO. W-04264A-04-0438
13 OF WOODRUFF WATER COMPANY,)
14 INC. FOR A CERTIFICATE OF)
15 CONVENIENCE AND NECESSITY TO)
16 PROVIDE WATER SERVICE IN PINAL)
17 COUNTY, ARIZONA)

16 IN THE MATTER OF WOODRUFF) DOCKET NO. SW-04265A-04-0439
17 UTILITY COMPANY, INC. FOR A)
18 CERTIFICATE OF CONVENIENCE AND)
19 NECESSITY TO PROVIDE SEWER)
20 SERVICE IN PINAL COUNTY, ARIZONA)

MOTION FOR PROCEDURAL ORDER
CONCERNING PREFILED TESTIMONY

21
22 ARIZONA WATER COMPANY, an Arizona corporation (the "Company"), through
23 its undersigned counsel, files a Motion for a Procedural Order to direct the parties to this
24 matter to file prepared direct and rebuttal testimony and exhibits before any evidentiary
25 hearing is held in this matter. The following Memorandum of Points and Authorities
26 supports the Company's Motion.
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1 other related issues will likely involve a hearing that is more complex and extended than
2 the normal hearing involved in a routine application for a new or expanded certificate.

3 For these reasons, the Company submits that prefiled direct and rebuttal
4 testimony and exhibits will aid the Commission in considering the evidence and
5 reaching a decision in this case. As in other complex cases, such as rate cases, the
6 use of prefiled testimony and exhibits will allow for more efficient hearings by, among
7 other things, expediting the presentation of routine matters and permitting the parties
8 and the administrative law judge to focus on and consider the important issues that this
9 case will involve. In addition, it is reasonable to expect that the Company and Woodruff,
10 and perhaps the Staff, will have multiple witnesses and numerous exhibits to present for
11 the Commission's consideration. The presentation of this larger-than-normal evidentiary
12 record is an additional important reason that this case will be handled more efficiently by
13 the use of prefiled testimony and exhibits.
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16 CONCLUSION

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19 The Company believes, and therefore submits, as detailed above, that this
20 case would be processed most efficiently through the use of prefiled testimony and
21 exhibits by all parties. The Commission entering an order for such at this point in the
22 proceedings will prejudice no party, as a new procedural schedule has not been set and
23 hearings have yet to be scheduled. The Company, therefore, moves the Commission to
24 enter an order directing all parties to prefile prepared direct and rebuttal testimony and
25 exhibits, and to establish a reasonable procedural schedule at the same time.
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1 RESPECTFULLY SUBMITTED this 24th day of JANUARY, 2005.

2 ARIZONA WATER COMPANY

3
4 By: Robert W. Geake

5 Robert W. Geake
6 Vice President and General Counsel
7 ARIZONA WATER COMPANY
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9 Phoenix, Arizona 85038-9006

10 Steve A. Hirsch
11 Bryan Cave LLP
12 Two North Central Avenue
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14 Phoenix, Arizona 85004

15 Attorneys for
16 Arizona Water Company

17 Original and seventeen (17) copies of the foregoing filed the 24th day of JANUARY, 2005
18 with:

19 Docket Control Division
20 Arizona Corporation Commission
21 1200 West Washington Street
22 Phoenix, Arizona 85007

23 A copy of the foregoing was mailed this 24th day of JANUARY, 2005 to:

24 Marc E. Stern, Esq.
25 Administrative Law Judge
26 Hearing Division
27 Arizona Corporation Commission
28 1200 West Washington
Phoenix, AZ 85007

Timothy J. Sabo
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1200 West Washington
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1 **COMMISSIONERS**

2 **JEFF HATCH-MILLER, Chairman**
3 **WILLIAM A. MUNDELL**
4 **MARC SPITZER**
5 **MIKE GLEASON**
6 **KRISTIN K. MAYES**

6 **BEFORE THE ARIZONA CORPORATION COMMISSION**

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RESPECTFULLY SUBMITTED this 24th day of JANUARY, 2005.

ARIZONA WATER COMPANY

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