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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission 254

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IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES COMPANY, L.L.C. FOR
AN EXTENSION OF ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR WATER AND WASTEWATER
SERVICE.

DOCKET NO. WS-02987A-04-0288

PROCEDURAL ORDER

BY THE COMMISSION:

On April 14, 2004, Johnson Utilities Company, L.L.C. ("JUC" 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 and wastewater utility service to various parts of Pinal County, Arizona.

On May 13, 2004, pursuant to A.A.C. R14-2-411(C), the Commission's Utilities Division ("Staff") issued a notice of insufficiency to JUC.

On January 5, 2005, pursuant to A.A.C. R14-2-411(C), Staff issued a notice of sufficiency.

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 March 24, 2005 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 Staff shall file its Staff Report by February 25, 2005.

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 March 11, 2005.

1 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
2 except that all motions to intervene must be filed on or before March 1, 2005.

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

5 **PUBLIC NOTICE OF THE HEARING FOR**
6 **JOHNSON UTILITIES COMPANY, L.L.C. FOR AN EXTENSION OF ITS**
7 **CERTIFICATE OF CONVENIENCE AND NECESSITY TO**
8 **PROVIDE WATER AND WASTEWATER SERVICE**
9 **Docket No. WS-02987A-04-0288**

10 On April 14, 2004, Johnson Utilities Company, L.L.C. ("Applicant") filed an
11 application for an extension of its CC&N to various parts of Pinal County, Arizona.

12 The application is available for inspection during regular business hours at the offices
13 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona
14 and at the Applicant's office, [insert office address].

15 The Commission will hold a hearing on this matter commencing on March 24, 2005,
16 at 9:30 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix,
17 Arizona. Public comments will be taken on the first day of the hearing.

18 The law provides for an open public hearing at which, under appropriate
19 circumstances, interested parties may intervene. Intervention shall be permitted to
20 any person entitled by law to intervene and having a direct and substantial interest in
21 the matter. Persons desiring to intervene must file a written motion to intervene with
22 the Commission, which motion should be sent to Applicant or its counsel and to all
23 parties of record, and which, at the minimum, shall contain the following:

- 24 1. The name, address, and telephone number of the proposed intervenor and of
25 any party upon whom service of documents is to be made if different than the
26 intervenor.
- 27 2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,
28 a customer of Applicant, a shareholder of Applicant, a competitor, etc.).
- 29 3. A statement certifying that a copy of the motion to intervene has been mailed
30 to the Applicant or its counsel and to all parties of record in the case.

31 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
32 that all motions to intervene must be filed on or before March 1, 2005. The granting
33 of intervention, among other things, entitles a party to present sworn evidence at
34 hearing and to cross-examine other witnesses. However, failure to intervene will not
35 preclude any customer from appearing at the hearing and making a statement on
36 such customer's own behalf.

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

1 The Commission does not discriminate on the basis of disability in admission to its
2 public meetings. Persons with a disability may request a reasonable accommodation
3 such as a sign language interpreter, as well as request this document in an alternative
4 format, by contacting the ADA Coordinator, voice phone number 602/542-3931, E-
5 mail lhogan@cc.state.az.us. Requests should be made as early as possible to allow
6 time to arrange the accommodation.

7 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be published at
8 least once in a newspaper of general circulation in its service territory, with publication to be
9 completed no later than February 14, 2005.

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

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

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

17 DATED this 12TH day of January, 2005.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered
19 this 12TH day of January, 2005 to:

20 Jay L. Shapiro
21 Patrick J. Black
22 FENNEMORE CRAIG
23 3003 N. Central Avenue, Ste. 2600
24 Phoenix, AZ 85012
25 Attorneys for Johnson Utilities Company,
26 L.L.C.

27 Christopher Kempely, Chief Counsel
28 Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

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

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

By: 
Molly Johnson
Secretary to Marc Stern