

ORIGINAL



0000016509

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

254

COMMISSIONERS

2005 JAN 14 P 3:21

DOCKETED

JAN 14 2005

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

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY *AK*

IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY, AN ARIZONA
CORPORATION, TO EXTEND ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY AT CASA GRANDE, PINAL
COUNTY, ARIZONA.

DOCKET NO. W-01445A-04-0773

PROCEDURAL ORDER

BY THE COMMISSION:

On October 27, 2004, Arizona 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 to various parts of Casa Grande, Pinal County, Arizona.

On November 12, 2004, the Commission's Utilities Division ("Staff") issued a notice of deficiency that the application had not met the sufficiency requirements of A.A.C. R14-2-411(C).

On January 12, 2005, Staff issued notice that the application had met the sufficiency requirements of A.A.C. R14-2-411(C).

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 23, 2005 at 11:00 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 the Staff Report and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on February 28, 2005.

1 IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits
2 to be presented at hearing by Applicant shall be reduced to writing and filed on or before 4:00 p.m.
3 on March 7, 2005.

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

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

8 **PUBLIC NOTICE OF THE HEARING FOR**
9 **ARIZONA WATER COMPANY FOR AN EXTENSION OF ITS**
10 **CERTIFICATE OF CONVENIENCE AND NECESSITY**
11 **Docket No. W-01445A-04-0773**

12 On October 27, 2004, Arizona Water Company ("Applicant") filed an application for
13 an extension of its CC&N to various parts of Casa Grande, Pinal County, Arizona.

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

17 The Commission will hold a hearing on this matter commencing on March 23, 2005,
18 at 11:00 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix,
19 Arizona. Public comments will be taken on the first day of the hearing.

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

- 26 1. The name, address, and telephone number of the proposed intervenor and of
27 any party upon whom service of documents is to be made if different than the
28 intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,
a customer of Applicant, a shareholder of Applicant, a competitor, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed
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 March 1, 2005. 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

1 to its approval, or wish to make a statement in support of it, you may write the
2 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.

3 The Commission does not discriminate on the basis of disability in admission to its
4 public meetings. Persons with a disability may request a reasonable accommodation
5 such as a sign language interpreter, as well as request this document in an alternative
6 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-
3931, E-mail lhogan@cc.state.az.us. Requests should be made as early as possible to
allow 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 14th day of January, 2005.

18 
19 _____
20 MARC E. STERN
21 ADMINISTRATIVE LAW JUDGE

22 Copies of the foregoing mailed/delivered
23 this 14 day of January, 2005 to:

24 Robert W. Geake
25 ARIZONA WATER COMPANY
26 P.O. Box 29006
27 Phoenix, AZ 85038-9006

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

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

6 ARIZONA REPORTING SERVICE, INC.
7 2627 N. Third Street, Suite Three
8 Phoenix, Arizona 85004-1104

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
By:



Molly Johnson
Secretary to Marc Stern