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BEFORE THE ARIZONA CORPORATION COMMISSION

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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

DOCKETED

JAN 21 2005

DOCKETED BY	<i>CM</i>
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IN THE MATTER OF THE APPLICATION OF  
VIRGIN MOUNTAIN UTILITIES COMPANY TO  
EXTEND ITS EXISTING CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
WATER SERVICE IN MOHAVE COUNTY,  
ARIZONA AND APPROVAL OF A HOOK-UP  
FEE TARIFF.

DOCKET NO. W-03551A-04-0325

PROCEDURAL ORDER

**BY THE COMMISSION:**

On April 29, 2004, Virgin Mountain Utilities Company ("Company" or "Applicant"), filed an application requesting approval 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 Mohave County, Arizona and approval for a Hook-Up Fee Tariff ("Tariff").

On May 21, 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 18, 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 April 26, 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 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 March 15,

1 2005.

2 IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits  
3 to be presented at hearing by Applicant shall be reduced to writing and filed on or before 4:00 p.m.  
4 on March 25, 2005.

5 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,  
6 except that all motions to intervene must be filed on or before March 20, 2005.

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

9 **PUBLIC NOTICE OF THE HEARING FOR**  
10 **VIRGIN MOUNTAIN UTILITIES COMPANY FOR AN EXTENSION OF ITS**  
11 **CERTIFICATE OF CONVENIENCE AND NECESSITY AND**  
12 **APPROVAL OF A HOOK-UP FEE TARIFF**  
13 **Docket No. W-03551A-04-0325**

14 On April 29, 2004, Arizona Water Company ("Applicant") filed an application  
15 requesting approval for an extension of its CC&N to various parts of Mohave County,  
16 Arizona, and for approval of a Hook-Up Fee Tariff.

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

20 The Commission will hold a hearing on this matter commencing on April 26, 2005,  
21 at 9:30 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix,  
22 Arizona. Public comments will be taken on the first day of the hearing.

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

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

36 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
37 that all motions to intervene must be filed on or before March 20, 2005. The  
38 granting of intervention, among other things, entitles a party to present sworn  
evidence at hearing and to cross-examine other witnesses. However, failure to

1 intervene will not preclude any customer from appearing at the hearing and making a  
2 statement on such customer's own behalf.

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

8 The Commission does not discriminate on the basis of disability in admission to its  
9 public meetings. Persons with a disability may request a reasonable accommodation  
10 such as a sign language interpreter, as well as request this document in an alternative  
11 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-  
12 3931, E-mail [lhogan@cc.state.az.us](mailto:lhogan@cc.state.az.us). Requests should be made as early as possible to  
13 allow time to arrange the accommodation.

14 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be published at  
15 least once in a newspaper of general circulation in its service territory, with publication to be  
16 completed no later than February 21, 2005.

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

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

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

24 DATED this 21<sup>st</sup> day of January, 2005.

25   
26 MARC E. STERN  
27 ADMINISTRATIVE LAW JUDGE

28 Copies of the foregoing mailed/delivered  
this 21 day of January, 2005 to:

Richard Sallquist  
SALLQUIST & DRUMMOND  
4500 s. Lakeshore Drive, Ste. 339  
Tempe, AZ 85282

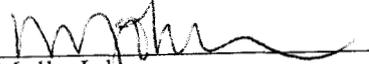
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1 Christopher Kempley, Chief Counsel  
Legal Division  
2 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

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

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

9 By:

  
Molly Johnson  
Secretary to Marc Stern

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