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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

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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.

On January 12, 2005, by Procedural Order, a hearing was scheduled on March 24, 2005.

On January 21, 2005, Diversified Water Utility, Inc. ("Diversified") filed an application to intervene in the proceeding stating that it had a competing application pending in Docket No. W-02859A-04-0844.

On January 25, 2005, JUC filed its opposition to Diversified's application to intervene and stated that Diversified's application with respect to Docket No. W-02859A-04-0844 is for a different area than the area which JUC is seeking in this proceeding.

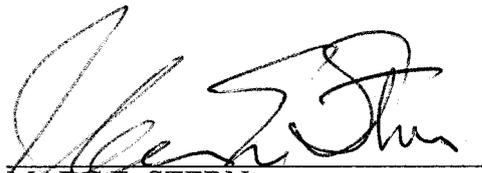
On January 27, 2005, Staff filed its response in opposition to Diversified's application to intervene and stated that, after its review of the area sought to be certificated by JUC herein, Diversified's application in Docket No. W-02859A-04-0844 does not involve the same area and Diversified's application to intervene should be denied.

1 Accordingly, Diversified's application for intervention should be denied.

2 IT IS THEREFORE ORDERED that the application for intervention in this proceeding by  
3 Diversified Water Utilities, Inc. is hereby denied.

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

7 DATED this 2<sup>nd</sup> day of February, 2005.

  
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered  
11 this 2 day of February, 2005 to:

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