

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

25

COMMISSIONERS

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

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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

MAR 24 2005

DOCKETED BY *CP*

DOCKET NO. W-02105A-04-0880

STAFF OF THE UTILITIES DIVISION,

Complainant,

vs.

MOUNT TIPTON WATER COMPANY, INC.

Respondent.

DOCKET NO. W-02105A-03-0303

IN THE MATTER OF THE APPLICATION OF
MOUNT TIPTON WATER COMPANY, INC. FOR
A RATE INCREASE.

PROCEDURAL ORDER

BY THE COMMISSION:

On December 10, 2004, the Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") filed a Complaint against Mount Tipton Water Company ("Mt. Tipton") alleging Mt. Tipton has not complied with various conditions set forth in Decision No. 67162 (August 11, 2004).

Mt. Tipton failed to timely file an Answer to the Complaint.

By Procedural Order issued February 15, 2005, a pre-hearing conference was scheduled for the purpose of discussing the procedures governing this matter.

A pre-hearing conference was held as scheduled on March 10, 2005. Staff appeared through counsel and Respondent appeared through the Secretary of its Board of Directors. During the pre-hearing conference, Staff recommended that a status conference be set for a future date in order to allow time for Respondent to cure the alleged lack of compliance with the requirements of Commission Decision No. 67172. Staff stated that if it is satisfied that Respondent has cured the alleged lack of compliance prior to the date of the status conference, Staff will file a motion to withdraw its complaint prior to that date. Respondent was amenable to Staff's recommendation.

1 IT IS THEREFORE ORDERED that, unless Complainant has filed a motion to withdraw the
2 above-captioned Complaint prior to April 28, 2005, a status conference on the Complaint shall be
3 held on **April 29, 2005, at 2:30 p.m.**, at the Commission's offices, 1200 West Washington Street,
4 Phoenix, Arizona.

5 Dated this 24th day of March, 2005

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8 
9 TEENA WOLFE
10 ADMINISTRATIVE LAW JUDGE

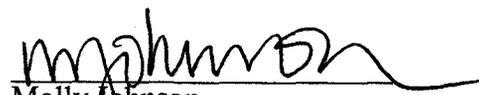
11 The foregoing was mailed/delivered
12 this 24th day of March, 2005 to:

13 Kelly Schwab
14 MOUNT TIPTON WATER COMPANY, INC.
15 15996 N. Ironwood Drive
16 P.O. Box 38
17 Dolan Springs, AZ 86441

18 Christopher Kempley, Chief Counsel
19 Legal Division
20 ARIZONA CORPORATION COMMISSION
21 1200 West Washington Street
22 Phoenix, AZ 85007

23 Ernest G. Johnson, Director
24 Utilities Division
25 ARIZONA CORPORATION COMMISSION
26 1200 West Washington Street
27 Phoenix, AZ 85007

28 ARIZONA REPORTING SERVICE
2627 N. Third Street, Ste. Three
Phoenix, AZ 85004-1003

By: 
Molly Johnson
Secretary to Teena Wolfe