



BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

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

2005 MAR 25 A 10: 54
AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED

MAR 25 2005

DOCKETED BY

IN THE MATTER OF DIVERSIFIED WATER UTILITIES, INC. TO EXPAND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO INCLUDE ALL OF SECTION 13, 14, 15, 23 AND THAT PORTION OF SECTION 16 EAST OF RAILROAD TRACKS ALL IN T3S, R83, PINAL COUNTY, ARIZONA.

DOCKET NO. W-02859A-04-0844

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

DOCKET NO. WS-02987A-04-0869

PROCEDURAL ORDER

BY THE COMMISSION:

On November 24, 2004, Diversified Water Utilities, Inc. ("Diversified") filed with the Arizona Corporation Commission ("Commission") an application in Docket No. W-02859A-04-0844 for an extension of its Certificate of Convenience and Necessity ("CC&N") in Pinal County by either amending Decision No. 63690 (September 4, 2001)¹ or alternatively by treating the filing as a new application ("Diversified Application").

On December 3, 2004, Johnson Utilities Company ("Johnson") filed an application ("Johnson Application") for an extension of its CC&N in Pinal County. The area sought by Johnson overlaps with a portion of the extension area requested by Diversified.

On January 13, 2005, a Procedural Order was issued in the Johnson Application docket scheduling a hearing for April 18, 2005 and directing Johnson to publish notice of the application.

On March 2, 2005, a Procedural Order was issued consolidating the Diversified and Johnson dockets and scheduling a Procedural Conference for March 7, 2005.

During the March 7, 2005 Procedural Conference, the parties discussed, among other things,

¹ Decision No. 63690 was amended by Decision No. 64062 (October 4, 2001) and Decision No. 65840 (April 22, 2003).

1 Johnson would be the exclusive provider of water to the proposed areas, and would be
2 required by the Commission to provide service under rates and charges and terms and
3 conditions established by the Commission. The applications are available for inspection

4 The Commission will hold a hearing on this matter beginning on **July 20, 2005, at 10:00**
5 **a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.
6 Public comment will be taken on the first day of the hearing.

7 The law provides for an open public hearing at which, under appropriate circumstances,
8 interested parties may intervene. Intervention shall be permitted to any person entitled by
9 law to intervene and having a direct and substantial interest in the matter. Persons
10 desiring to intervene must file a written motion to intervene with the Commission, which
11 motion should be sent to all parties of record, and which, at the minimum, shall contain
12 the following:

- 13 1. The name, address, and telephone number of the proposed intervenor and
14 of any party upon whom service of documents is to be made if different
15 than the intervenor.
- 16 2. A short statement of the proposed intervenor's interest in the proceeding
17 (e.g., a customer of the Applicants, a shareholder of the Applicants, etc.).
- 18 3. A statement certifying that a copy of the motion to intervene has been
19 mailed to the Applicants or their counsel and to all parties of record in the
20 case.

21 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that
22 all motions to intervene must be filed on or before **May 20, 2005**. The granting of
23 intervention, among other things, entitles a party to present sworn evidence at hearing
24 and to cross-examine other witnesses. Failure to intervene will not preclude any potential
25 customer from appearing at the hearing and making a statement on such person's own
26 behalf. You will not, however, receive any further notice of the proceeding unless
27 requested by you.

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

IT IS FURTHER ORDERED that Diversified and Johnson shall mail and/or jointly bear the
costs of mailing to each property owner in their requested extension areas a copy of the above notice
by April 22, 2005.

IT IS FURTHER ORDERED that Diversified and Johnson shall file certification of
mailing/publication as soon as practical after the mailing has been completed but not later than May
20, 2005.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing of same,

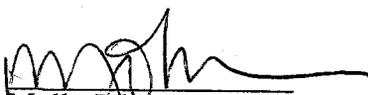
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13 By:


14 Molly Johnson
Secretary to Dwight D. Nodes

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