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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
NACO WATER COMPANY, LLC FOR AN
EMERGENCY RATE INCREASE.

DOCKET NO. W-02860A-05-0184

PROCEDURAL ORDER

BY THE COMMISSION:

On March 14, 2005, Naco Water Co., LLC ("NWC" or "Company") filed an application for approval of an emergency increase in its rates. As a result, a hearing will commence on May 6, 2005 at 10:00 a.m. to hear the above-captioned case.

Pursuant to A.A.C. R14-3-101, the Commission makes the following orders governing the preparation and conduct of this matter:

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall commence on **May 10, 2005 at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, **Room 222**, 400 West Congress, Tucson, Arizona 85701.

IT IS FURTHER ORDERED that any Staff Report or direct testimony and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before **April 26, 2005**.

IT IS FURTHER ORDERED that any testimony or comments to be resented at hearing on behalf of intervenors shall be reduced to writing and filed on or before **April 26, 2005**.

IT IS FURTHER ORDERED that the Company shall file its Response to the Staff Report on or before **May 3, 2005**.

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

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PUBLIC NOTICE
NACO WATER COMPANY, LLC
EMERGENCY RATE HEARING
DOCKET NO. W-02860A-05-0184

On March 11, 2005, Naco Water Co. LLC ("Company") filed an application with the Arizona Corporation Commission for an emergency increase in its rates. The Company is requesting that the Commission authorize rates, including a Base Rate of \$24.00 and consumptive charges of \$3.50 per 1,000 gallons. Copies of the Company's application are available at its office [COMPANY INSERT ADDRESS HERE] and at the Commission's offices in the Docket Control Center, 1200 West Washington, Phoenix, Arizona and at 400 West Congress St., Suite 218, Tucson, Arizona for public inspection during regular business hours. .

The Commission will hold a public hearing on this matter on **May 10, 2005, at 10:00 a.m.** at the Commission's offices, Room 222, 400 West Congress Street, Tucson, Arizona. Public comments will be taken at the beginning of the hearing. Upon conclusion of the hearing, the presiding administrative law judge will take the matter under advisement and will draft a recommended Opinion and Order for the Commission's consideration. The Commission will ultimately vote on the application at a subsequent Open Meeting at a date to be determined, and may adopt the Company's proposed rates, or rates that are higher or lower than those sought by the Company.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission no later than April 22, 2005. The motion to intervene must be sent to the Company or its counsel and to all parties of record, and must contain the following:

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

The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case. You will not receive any further notice of this proceeding unless you request it.

If you have any questions about this application, wish to file written comments on the application, or want further information on intervention, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007, or call 1-800-222-7000.

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

5 IT IS FURTHER ORDERED that the Company shall mail a copy of the notice to its
6 customers by first class U.S. Mail by **April 8, 2005**.

7 IT IS FURTHER ORDERED that notice in accordance with this Procedural Order shall be
8 deemed complete upon mailing, notwithstanding the failure of an individual customer to read or
9 receive the notice.

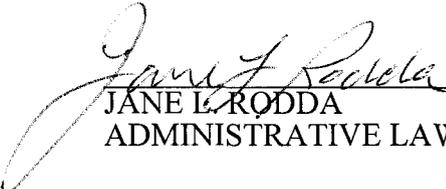
10 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
11 Communications) applies to this proceeding as the matter is now set for public hearing.

12 IT IS FURTHER ORDERED that to the extent that provisions of this Procedural Order
13 conflicts with Title 14 of the A.A.C., the provisions of this Procedural Order are controlling.

14 IT IS FURHTER ORERED that the time period specified herein shall not be extended
15 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

16 IT IS FURHTER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
17 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

18 DATED this 25th day of March, 2005.


JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

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21 Copies of the foregoing mailed
22 this 25th day of March, 2005 to:

23 Ms. Bonnie O'Connor
24 Naco Niner Water Company
P.O. Box 85160
Tucson, Arizona 85754

25 Mr. Christopher Kempely, Chief Counsel
26 Mr. David Ronald
Legal Division
27 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
28 Phoenix, Arizona 85007

1 Mr. 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 St., Suite 3
8 Phoenix, Arizona 85004-1103

9 By 
10 Jane L. Rodda

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