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COMMISSIONERS

MARC SPITZER, Chairman  
JIM IRVIN  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON

DOCKETED

JUN - 6 2003

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AZ CORP COMMISSION  
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IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, INC., AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS SUN CITY WEST WATER AND WASTEWATER DISTRICTS.

DOCKET NO. WS-01303A-02-0867

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, INC., AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS SUN CITY WATER AND WASTEWATER DISTRICTS.

DOCKET NO. WS-01303A-02-0868

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, INC., AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS MOHAVE WATER DISTRICT AND ITS HAVASU WATER DISTRICT.

DOCKET NO. W-01303A-02-0869

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, INC., AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS ANTHEM WATER DISTRICT, ITS AGUA FRIA WATER DISTRICT, AND ITS ANTHEM/AGUA FRIA WASTEWATER DISTRICT.

DOCKET NO. WS-01303A-02-0870

1  
2 IN THE MATTER OF THE APPLICATION OF  
3 ARIZONA-AMERICAN WATER COMPANY,  
4 INC., AN ARIZONA CORPORATION, FOR A  
5 DETERMINATION OF THE CURRENT FAIR  
6 VALUE OF ITS UTILITY PLANT AND  
7 PROPERTY AND FOR INCREASES IN ITS  
8 RATES AND CHARGES BASED THEREON FOR  
9 UTILITY SERVICE BY ITS TUBAC WATER  
10 DISTRICT.

**AMENDED RATE CASE**  
**PROCEDURAL ORDER**

7  
8 **BY THE COMMISSION:**

9 On November 22, and December 13, 2002, Arizona-American Water Company, Inc.  
10 ("Arizona-American" or "Applicant") filed with the Arizona Corporation Commission  
11 ("Commission") applications in the above-captioned dockets for rate increases in the Applicant's  
12 water and wastewater districts.

13 On January 30, 2003, the Commission's Utilities Division Staff ("Staff") filed a letter stating  
14 that the applications met the sufficiency requirements set forth in A.A.C. R14-2-103.

15 On February 19, 2003, a procedural conference was conducted in this proceeding to discuss  
16 consolidation of the dockets and to discuss other procedural matters.

17 On March 14, 2003, a Procedural Order was issued setting the dates and times for hearing.

18 On May 30, 2003, the Applicant and Staff, through electronic mail, indicated that they had  
19 reached an agreement to extend the procedural timelines set forth in the March 14, 2003 Procedural  
20 Order. They represented that no party to the proceeding opposed a continuance of the procedural  
21 schedule.

22 On June 2, 2003, counsel for the Applicant and Staff contacted the Administrative Law Judge  
23 telephonically. Staff indicated that, due to ongoing discovery concerns, the previously agreed-upon  
24 extensions may not be sufficient. The Administrative Law Judge advised the Applicant and Staff that  
25 the deadline for filing Staff and intervenor testimony would be extended an additional week beyond  
26 the agreed-upon extension.

1 IT IS THEREFORE ORDERED that the hearing currently scheduled for October 14, 2003, is  
2 hereby rescheduled to commence on December 4, 2003, at 10:00 a.m., or as soon thereafter as is  
3 practical, at the Commission's offices, 1200 West Washington Street, Arizona 85007.

4 IT IS FURTHER ORDERED that the deadlines established in the March 14, 2003 Procedural  
5 Order, shall be revised as follows:

6 Staff/Intervenor Direct	September 5, 2003
7 Company Rebuttal	October 10, 2003
8 Staff/Intervenor Surrebuttal	October 31, 2003
9 Company Rejoinder	November 14, 2003
10 Pre-Hearing Conference	December 1, 2003
11 Hearing Date	December 4, 2003

12 IT IS FURTHER ORDERED that interested parties should file briefs, by no later than June  
13 27, 2003, on the issue of the applicability of the timeclock rules set forth in A.A.C. R14-2-  
14 103(B)(11), in circumstances where a utility has more than one rate application concurrently pending  
15 before the Commission. The legal briefs should include an analysis of the legislative history of this  
16 section, including a discussion of whether A.A.C. R14-2-103(B)(11)(f) and (g) contain inadvertent  
17 typographical or clerical errors by referring back to subsection (a) of that section instead of  
18 subsection (d). The briefs should also discuss whether subsections (f) and (g), when read *in pari*  
19 *materia* with the remainder of the section, can be given any logical meaning if the reference back to  
20 subsection (a) is not a typographical or clerical error.

21 IT IS FURTHER ORDERED that, even if the timeclock rules are applicable in this  
22 consolidated proceeding, the timeclock for completing this case shall be extended by an additional 60  
23 days.

24 IT IS FURTHER ORDERED that the ex parte rule remains in effect.

25 ...  
26 ...  
27 ...  
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1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 6<sup>th</sup> day of June 2003.

4  
5 

6 DWIGHT D. NODES  
7 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered  
9 this 6<sup>th</sup> day of June, 2003 to:

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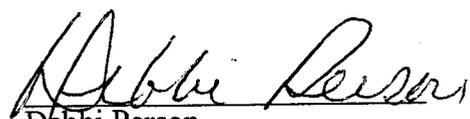
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