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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

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JEFF HATCH-MILLER, Chairman
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KRISTIN K. MAYES

AZ CORP COMMISSION
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JUN 21 2005

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF ARIZONA UTILITY SUPPLY & SERVICES, L.L.C., FOR THE TRANSFER OF A PORTION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO JOHNSON UTILITIES, L.L.C.

DOCKET NO. SW-04002A-02-0837
DOCKET NO. WS-02987A-02-0837

IN THE MATTER OF THE APPLICATION OF ARIZONA UTILITY SUPPLY & SERVICES, L.L.C., TO TRANSFER ITS ASSETS AND CERTIFICATE OF CONVENIENCE AND NECESSITY TO JOHNSON UTILITIES, LLC.

DOCKET NO. SW-04002A-04-0465
DOCKET NO. WS-02987A-04-0465

PROCEDURAL ORDER

BY THE COMMISSION:

On November 8, 2002, Arizona Utility Supply & Services, L.L.C. ("Applicant" or "AUSS") filed with the Arizona Corporation Commission ("Commission") an application in Docket Nos. SW-04002A-02-0837 and WS-02987A-02-0837 ("the 02-0837 dockets") for the transfer of a portion of its Certificate of Convenience and Necessity ("CC&N") to Johnson Utilities, L.L.C. ("Johnson").

In Decision No. 67586 (February 15, 2005), Johnson was granted an Order Preliminary to the issuance of a Final Order to enable Johnson to acquire specified assets of AUSS and take a number of other actions to enable Johnson to eventually provide retail wastewater service to most of the AUSS service area.

On May 12, 2005, counsel for Johnson, Jay Shapiro of Fennemore Craig, P.C., filed a Notice of Withdrawal as Counsel of Record. The Notice of Withdrawal stated that Richard Sallquist would be taking over representation of Johnson and all future correspondence should be directed to Mr. Sallquist.

By Procedural Order issued June 3, 2005, counsel for record for Johnson Utilities Company, Jay Shapiro of Fennemore Craig, P.C., was ordered to file an Application for Withdrawal as Counsel in accordance with the requirements of A.A.C. R14-3-104(E).

1 On June 8, 2005, Mr. Shapiro filed an Application of Withdrawal as Counsel stating that
2 withdrawal is necessary and in the public interest because Mr. Shapiro is not authorized to act on
3 behalf of Johnson Utilities and has been instructed to withdraw as counsel, and because Mr. Sallquist
4 has already been retained to represent Johnson.

5 On June 13, 2005, Richard Sallquist of the firm Sallquist & Drummond, P.C., filed an
6 Application for Substitution of Counsel requesting authorization to appear on behalf of Johnson in
7 this matter.

8 IT IS THEREFORE ORDERED that Jay Shapiro and the firm Fennemore Craig, P.C., are
9 authorized to withdraw as counsel for Johnson Utilities Company in this proceeding and Richard
10 Sallquist of the firm Sallquist & Drummond, P.C., shall be authorized to appear on behalf of Johnson
11 Utilities Company.

12 IT IS FURTHER ORDERED that the Ex Parte Rule is still in effect.

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

16 DATED this 21st day of June, 2005

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18 

19 DWIGHT D. NODES
20 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed
22 this 21 day June, 2005 to:

23 Maurice Lee
24 Arizona Utility Supply & Services, LLC
4002 E. Taro Lane
Phoenix, AZ 85050

25 Michael Baldwin
26 LAW OFFICES OF MICHAEL BALDWIN, PLC
177 N. Church Ave., Suite 913
27 Tucson, AZ 85701-1120
Bankruptcy Attorney for Arizona Utility Supply & Services, LLC

1 Michael M. Neal
LAW OFFICES OF MICHAEL M. NEAL, PLC
110 S. Church Ave., Suite 4298
2 Tucson, AZ 85701
3 Counsel for Bankruptcy Trustee, Ron Ancell

4 Jay L. Shapiro
Cathy Reese
FENNEMORE CRAIG
5 3003 North Central Avenue, Ste. 2600
Phoenix, AZ 85012
6 Attorneys for Johnson Utilities Co., L.L.C.

7 Michael Grant
Todd Wiley
8 GALLAGHER & KENNEDY
2575 E. Camelback Road
9 Phoenix, AZ 85016
10 Attorneys for Centex Homes

11 Lynn A. Keeling
DYER & FERRIS, LLC
3550 N. Central Ave, # 1801
12 Phoenix, AZ 85012-2114

13 George Johnson
Johnson Utilities Co., LLC
14 5230 East Shea Blvd.
Phoenix, AZ 85253

15 Richard Sallquist
16 SALLQUIST & DRUMMOND
4500 S. Lakeshore Drive, Ste. 339
17 Tempe, AZ 85282

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

21 Ernest Johnson, Director
Utilities Division
22 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
23 Phoenix, Arizona 85007

24

25 By: 
26 Molly Johnson
27 Secretary to Dwight D. Nodes
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