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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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JUN 16 2005

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**COMMISSIONERS**

**JEFF HATCH-MILLER - CHAIRMAN**

**WILLIAM A. MUNDELL**

**MARC SPITZER**

**MIKE GLEASON**

**KRISTIN K. MAYES**

IN THE MATTER OF THE APPLICATION OF )  
CAVE CREEK WATER COMPANY FOR )  
APPROVAL OF AN EXTENSION OF THEIR )  
CERTIFICATE OF CONVENIENCE AND )  
NECESSITY TO INCLUDE PARCEL NO. 216-29- )  
002A. )

DOCKET NO. W-01452A-05-0082

**MOTION TO CONSOLIDATE**

Cave Creek Water Company ("Cave Creek"), through undersigned counsel, respectfully requests that Docket No. W-01452A-05-0082 be consolidated with Docket W-01452A-04-0810 for administrative purposes.

Docket No. W-01452A-05-0082 deals with the expansion of Cave Creek's Certificate of Convenience and Necessity ("CC&N") to serve a contiguous parcel of land that will be subdivided into 9 residential lots. A hearing in this docket has been scheduled for June 28, 2005.

Docket No. W-01452A-04-0810 involves an expansion of Cave Creek's CC&N to serve a parcel of land that will be subdivided into 5 lots. Commission Staff recently issued a sufficiency letter in this docket. A Staff Report has not been issued nor has a hearing date been set.

Cave Creek believes that it is prudent and in the public interest to conserve the time and resources of the parties to both dockets and the Commission by consolidating these matters into one proceeding. Much of the information that will be presented in each docket is equally applicable to the other docket, such that a duplication of effort is unnecessary.

Cave Creek proposes that the June 28, 2005 hearing date in Docket No. W-01452A-05-0082 and any other related deadlines be rescinded and rescheduled for the same time that the hearing and other related deadlines are set in Docket No. W-01452A-04-0810. Cave Creek will waive any necessary time-clock requirements or deadlines in order to facilitate the consolidation. No party will be prejudiced by the consolidation of the dockets.

**ROSHKA HEYMAN & DEWULF, PLC**  
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1 Cave Creek has contacted Commission Staff and explained the request for consolidation.  
2 Commission Staff has authorized Cave Creek to indicate that it supports this Motion for  
3 Consolidation of the dockets.

4 Accordingly, Cave Creek respectfully requests that the Commission consolidate Docket  
5 Nos. W-01452A-05-0082 and W-01452A-04-0810 and schedule joint hearings on these dockets.  
6 Additionally, Cave Creek agrees to waive any time-clock requirements or deadlines necessary to  
7 facilitate the consolidation.

8 RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of June 2005.

9 ROSHKA HEYMAN & DEWULF, PLC

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11   
12 By \_\_\_\_\_  
13 Raymond S. Heyman  
14 Michael W. Patten  
15 One Arizona Center  
16 400 East Van Buren Street, Suite 800  
17 Phoenix, Arizona 85004  
18 Attorneys for Cave Creek Water Company

16 Original and 13 copies of the foregoing  
17 filed this 16<sup>th</sup> day of June 2005 with:

18 Docket Control  
19 Arizona Corporation Commission  
20 1200 West Washington Street  
21 Phoenix, Arizona 85007

21 Copy of the foregoing hand-delivered/mailed  
22 this 16<sup>th</sup> day of June 2005 to:

23 Chairman Jeff Hatch-Miller  
24 Arizona Corporation Commission  
25 1200 West Washington Street  
26 Phoenix, Arizona 85007  
27

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2 Director, Utilities Division  
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6 By *Mary Appolito*  
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