

ORIGINAL



0000022086

RECEIVED
BEFORE THE ARIZONA CORPORATION COMMISSION

254

1
2 COMMISSIONERS

2005 JUL 13 P 2:12

3 JEFF HATCH-MILLER, Chairman
4 WILLIAM A. MUNDELL
5 MARC SPITZER
6 MIKE GLEASON
7 KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

6 IN THE MATTER OF THE APPLICATION OF
7 MARTINEZ LAKES SEWER COMPANY FOR A
8 CERTIFICATE OF CONVENIENCE AND
9 NECESSITY TO PROVIDE SEWER SERVICE IN
10 YUMA COUNTY, ARIZONA.

DOCKET NO. SW-04123A-03-0692

PROCEDURAL ORDER

9 **BY THE COMMISSION:**

10 On September 19, 2003, Martinez Lakes Sewer Company ("Company" or "Applicant"), filed
11 an application for a Certificate of Convenience and Necessity ("Certificate") with the Arizona
12 Corporation Commission ("Commission") to provide public sewer utility service to various parts of
13 Yuma County, Arizona.

14 On October 9, 2003, the Commission's Utilities Division ("Staff") issued a notice of
15 insufficiency which indicated that the Company's application had not met the sufficiency
16 requirements of A.A.C. R14-2-610(C).

17 On July 8, 2005, Staff issued a letter of administrative completeness.

18 Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern
19 the preparation and conduct of this proceeding.

20 IT IS THEREFORE ORDERED that a **hearing** shall commence on **September 1, 2005 at**
21 **9:30 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington
22 Street, Phoenix, Arizona 85007.

23 IT IS FURTHER ORDERED that the Staff Report and associated exhibits to be presented at
24 hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on August 12,
25 2005.

26 IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits
27 to be presented at hearing by Applicant shall be reduced to writing and filed on or before 4:00 p.m.
28 on August 19, 2005.

1 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
2 except that all motions to intervene must be filed on or before August 15, 2005.

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

5 **PUBLIC NOTICE OF THE HEARING FOR**
6 **MARTINEZ LAKES SEWER COMPANY FOR A**
7 **CERTIFICATE OF CONVENIENCE AND NECESSITY**
8 **SW-04123A-03-0692**

9 On September 19, 2003, Martinez Lakes Sewer Company ("Applicant") filed an
10 application for a Certificate of Convenience and Necessity to provide sewer service to
11 various parts of Yuma County, Arizona.

12 The application is available for inspection during regular business hours at the offices
13 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona
14 and at the Applicant's office, [insert office address].

15 The Commission will hold a hearing on this matter commencing on September 1,
16 2005 at 9:30 a.m., at the Commission's offices, 1200 West Washington Street,
17 Phoenix, Arizona. Public comments will be taken on the first day of the hearing.

18 The law provides for an open public hearing at which, under appropriate
19 circumstances, interested parties may intervene. Intervention shall be permitted to
20 any person entitled by law to intervene and having a direct and substantial interest in
21 the matter. Persons desiring to intervene must file a written motion to intervene with
22 the Commission, which motion should be sent to Applicant or its counsel and to all
23 parties of record, and which, at the minimum, shall contain the following:

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

31 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
32 that all motions to intervene must be filed on or before August 15, 2005. The
33 granting of intervention, among other things, entitles a party to present sworn
34 evidence at hearing and to cross-examine other witnesses. However, failure to
35 intervene will not preclude any customer from appearing at the hearing and making a
36 statement on such customer's own behalf.

37 If you have any questions or concerns about this application or have any objections
38 to its approval, or wish to make a statement in support of it, you may write the
39 Consumer Services Section of the Commission at 1200 West Washington Street,
40 Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make
41 comment.

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@azcc.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Applicant shall cause the above notice to be published at least once in a newspaper of general circulation in its service territory, with publication to be completed no later than July 22, 2005.

IT IS FURTHER ORDERED that Applicant shall file certification of publication as soon as practicable after the publication has been completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same, notwithstanding the failure of an individual customer to read or receive the notice.

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

DATED this 13TH day of July, 2005

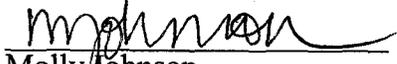

MARC E. STERN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 13 day of July, 2005 to:

Wade Nobel
Martinez Lake Sewer Company
1405 W. 16th Street
Yuma, AZ 85364

ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

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

By: 
Molly Johnson
Secretary to Marc Stern

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