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BEFORE THE ARIZONA CORPORATION COMMISSION

2527

COMMISSIONERS

2005 AUG -9 A 10: 47

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

AZ CORP COMMISSION  
DOCUMENT CONTROL

STAFF OF THE UTILITIES DIVISION,

DOCKET NO. W-02105A-04-0880

Complainant,

vs.

MOUNT TIPTON WATER COMPANY, INC.

Respondent.

IN THE MATTER OF THE APPLICATION OF  
MOUNT TIPTON WATER COMPANY, INC. FOR  
A RATE INCREASE.

DOCKET NO. W-02105A-03-0303

PROCEDURAL ORDER

**BY THE COMMISSION:**

On December 10, 2004, the Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") filed a Complaint against Mount Tipton Water Company ("Mt. Tipton") alleging Mt. Tipton has not complied with various conditions set forth in Decision No. 67162 (August 11, 2004).

Mt. Tipton failed to timely file an Answer to the Complaint. A Procedural Order was issued on February 15, 2005 setting a pre-hearing conference for the purpose of discussing the procedures governing this matter. A pre-hearing conference was held as scheduled on March 10, 2005. Staff requested that a status conference be set to discuss Mt. Tipton's efforts to come into compliance with the requirements of Decision No. 67162.

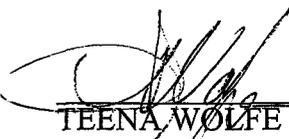
On March 24, 2005, a Procedural Order was issued setting a status conference to be held on April 29, 2005. A status conference was convened as scheduled on April 29, 2005, at which Staff requested that another status conference be held in approximately 60 days.

A Procedural Order was issued on May 2, 2005 setting a status conference for June 29, 2005. On June 29, 2005, a status conference was again convened. At that status conference, Staff moved to

1 dismiss its Complaint, stating that Mt. Tipton has made the filings required by Decision No. 67162.  
2 Staff's motion is reasonable and should be granted.

3 IT IS THEREFORE ORDERED that the Complaint filed by Complainant, the Commission's  
4 Utilities Division Staff, against Respondent Mt. Tipton Water Company for its failure to comply with  
5 conditions required by Decision No. 67162 is hereby dismissed as requested by Complainant.

6 Dated this 9<sup>th</sup> day of August, 2005

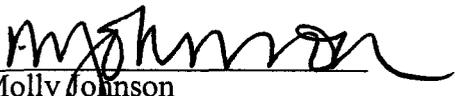
7  
8  
9  
10   
11 TEENA WOLFE  
ADMINISTRATIVE LAW JUDGE

12 The foregoing was mailed/delivered  
13 this 9 day of August, 2005 to:

14 Kelly Schwab  
15 William Thompson  
16 MOUNT TIPTON WATER COMPANY,  
17 INC.  
18 15996 N. Ironwood Drive  
19 P.O. Box 38  
20 Dolan Springs, AZ 86441

21 Christopher Kempley, Chief Counsel  
22 Legal Division  
23 ARIZONA CORPORATION COMMISSION  
24 1200 West Washington Street  
25 Phoenix, AZ 85007

26 Ernest G. Johnson, Director  
27 Utilities Division  
28 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

By:   
Molly Johnson  
Secretary to Teena Wolfe