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BEFORE THE ARIZONA CORPORATION COMMISSION
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COMMISSIONERS

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

2005 DEC 14 P 3:03

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE JOINT APPLICATION OF: (1) FRANCISCO GRANDE UTILITY COMPANY, AN ARIZONA CORPORATION, TO TRANSFER A PORTION OF ITS EXISTING CERTIFICATE OF CONVENIENCE AND NECESSITY TO ARIZONA WATER COMPANY, AN ARIZONA CORPORATION; (2) ARIZONA WATER COMPANY TO INCLUDE CERTIFICATED AREA TO BE TRANSFERRED BY FRANCISCO GRANDE UTILITY COMPANY IN ARIZONA WATER COMPANY'S CASA GRANDE CERTIFICATE OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-01445A-05-0700
DOCKET NO. WS-01775A-05-0700

Arizona Corporation Commission
DOCKETED

DEC 14 2005

DOCKETED BY *AK*

PROCEDURAL ORDER

BY THE COMMISSION:

On October 4, 2005, Francisco Grande Utility Company ("Francisco") and Arizona Water Company ("AWC") ("Joint Applicants") filed with the Arizona Corporation Commission ("Commission") a joint application to transfer a portion of Francisco's Certificate of Convenience and Necessity ("Certificate" or "CC&N") to AWC and to include the additional territories to be transferred in AWC's Casa Grande Certificate.

On December 9, 2005, the Commission's Utilities Division ("Staff") filed a Sufficiency Letter.

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

IT IS THEREFORE ORDERED that the **hearing** shall be held on **February 23, 2006, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before February 10, 2006.

IT IS FURTHER ORDERED that objections to any motions to intervene must be filed no

1 later than February 17, 2006.

2 IT IS FURTHER ORDERED that the Joint Applicants shall provide public notice of the
3 hearing in this matter, in the following form and style, with the heading no less than 10 point bold
4 type and the body no less than 10 point regular type:

5 **PUBLIC NOTICE OF THE HEARING FOR JOINT APPLICATION OF ARIZONA WATER**
6 **COMPANY AND FRANCISCO GRANDE UTILITY TO TRANSFER A PORTION OF**
7 **FRANCISCO GRANDE UTILITY COMPANY'S CERTIFICATE OF CONVENIENCE AND**
8 **NECESSITY TO ARIZONA WATER COMPANY AND TO INCLUDE THE ADDITIONAL**
9 **TERRITORY TO BE TRANSFERRED IN ARIZONA WATER COMPANY'S CASA**
10 **GRANDE CERTIFICATE**

11 **Docket No. W-01445A-05-0700 et al.**

12 On October 4, 2005, Francisco Grande Utility Company ("Francisco") and Arizona
13 Water Company ("AWC") filed with the Arizona Corporation Commission
14 ("Commission") a joint application to transfer a portion of Francisco's Certificate of
15 Convenience and Necessity ("Certificate") to AWC and for AWC to include in the
16 same area in its Casa Grande Certificate. The application, report of the
17 Commission's Utilities Division Staff, and any written exceptions to the staff report
18 prepared by the applicants are available for inspection during regular business hours
19 at the offices of the Commission located at 1200 West Washington Street, Phoenix,
20 Arizona 85007, and at offices of the Company, [address] and on the internet via the
21 Commission website (www.azcc.gov) using the e-docket function.

22 The Commission will hold a public hearing on this matter on **February 23, 2006 at**
23 **10:00 a.m.** at the Commission's offices, at 1200 West Washington Street, Phoenix,
24 Arizona. Public comment will be taken on the first day of the hearing.

25 The law provides for an open public hearing at which, under appropriate
26 circumstances, interested parties may intervene in the proceedings and participate as a
27 party. Intervention shall be permitted to any person entitled by law to intervene and
28 having a direct and substantial interest in the matter. Persons desiring to intervene
must file a written motion to intervene with the Commission and send such motion to
the Company or its counsel and to all parties of record, and which at the minimum,
shall contain the following:

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

36 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
37 that all motions to intervene must be filed on or before February 10, 2006. The
38 granting of intervention, among other things, entitles a party to present sworn evidence
at the hearing and to cross-examine other witnesses. Failure to intervene will not
preclude any interested person or entity from appearing at the hearing and making a

1 statement on their own behalf. You will not, however, receive any further notice of
2 the proceeding unless requested by you. Please check with the Commission for any
3 changes to the scheduled hearing date.

4 If you have any comments, mail them to:

5 The Arizona Corporation Commission
6 Attention Docket Control
7 re: Arizona Water Company/Francisco Grande Utility Company
8 W-01445A-05-0700 et al.
9 1200 West Washington Street
10 Phoenix, Arizona 85007

11 If you have any questions about this application, or want information on intervention,
12 you may contact the Consumer Services Section of the Commission at 1200 West
13 Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

14 The Commission does not discriminate on the basis of disability in admission to its
15 public meetings. Persons with a disability may request a reasonable accommodation
16 such as sign language interpreter, as well as request this document in an alternative
17 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602-542-
18 3931, E-mail lghogan@azcc.gov. Requests should be made as early as possible to
19 allow time to arrange the accommodation.

20 IT IS FURTHER ORDERED that the Joint Applicants shall cause the above notice to be
21 mailed to their affected customers and published at least once in a newspaper of general circulation in
22 its service territory, with publication and mailing to be completed no later than February 1, 2006.

23 IT IS FURTHER ORDERED that the Joint Applicants shall file certification of mailing and
24 publication as soon as practicable after the mailing/publication has been completed, but not later than
25 February 10, 2006.

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

IT IS FURTHER ORDERED that Staff shall file a Staff Report on or before January 27,
2006.

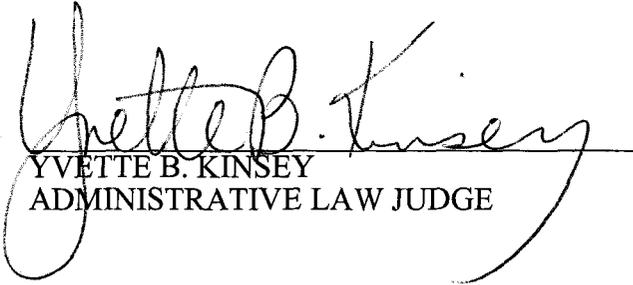
IT IS FURTHER ORDERED that the Joint Applicants shall file any objections to the Staff
Report on or before February 6, 2006.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized
Communications) applies to this proceeding as the matter is now set for public hearing.

...

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

4 Dated this 14th day of December, 2005

5
6
7 
8 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 14 day of December, 2005 to:

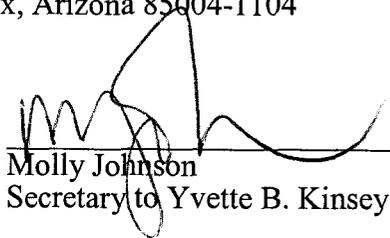
11 Robert W. Geake
12 Arizona Water Company
13 P.O. Box 29006
14 Phoenix, AZ 85038-9006

15 Christopher Kempley, Chief Counsel
16 Legal Division
17 ARIZONA CORPORATION COMMISSION
18 1200 West Washington Street
19 Phoenix, AZ 85007

20 Ernest G. Johnson, Director
21 Utilities Division
22 ARIZONA CORPORATION COMMISSION
23 1200 West Washington
24 Phoenix, AZ 85007

25 ARIZONA REPORTING SERVICE, INC.
26 2627 N. Third Street, Ste. Three
27 Phoenix, Arizona 85004-1104

28 By:


Molly Johnson
Secretary to Yvette B. Kinsey