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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-01445A-05-0701

PROCEDURAL ORDER

BY THE COMMISSION:

On October 4, 2005, Arizona Water Company ("AWC" or "Applicant"), filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide additional water service within its Superstition System, in Pinal County, Arizona.

On November 3, 2005, the Commission's Utilities Division ("Staff") filed an Insufficiency Letter.

On December 12, 2005, AWC filed a Response to Staff's Insufficiency Letter.

On January 9, 2006, Staff filed a Sufficiency Letter in this docket indicating that the Applicant's application has met the sufficiency requirements as outlined in the Arizona Administrative Code.

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 **March 28, 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 March 10, 2006.

IT IS FURTHER ORDERED that objections to any motions to intervene must be filed within 10 days but no later than March 20, 2006.

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

4
 5 **PUBLIC NOTICE OF HEARING ON THE**
 6 **APPLICATION OF ARIZONA WATER CO.**
 7 **FOR AN EXTENSION OF ITS CERTIFICATE OF**
 8 **CONVENIENCE AND NECESSITY**
 9 **Docket No. W-01445A-05-0701**

10 On October 4, 2005, Arizona Water Company ("AWC" or "Applicant") filed an
 11 application with the Arizona Corporation Commission ("Commission") for an extension
 12 of its Certificate of Convenience and Necessity ("CC&N") to provide water utility
 13 service in Pinal County, Arizona. If the application is granted, the Applicant would be
 14 the exclusive provider of water to the proposed area, and would be required by the
 15 Commission to provide service under rates and charges and terms and conditions
 16 established by the Commission. The application is available for inspection during regular
 17 business hours at the offices of the Commission in Phoenix, at 1200 West Washington
 18 Street, Phoenix, Arizona, and at the offices of the Company, [insert address] and on the
 19 internet via the Commission website (www.azcc.gov) using the e-docket function.

20 The Commission will hold a hearing on this matter beginning **March 28, 2006 at 10:00**
 21 **a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.
 22 Public comment will be taken on the first day of the hearing.

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

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

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

1 You will not, however, receive any further notice of the proceeding unless requested by
2 you. Please check with the Commission for any changes to the scheduled hearing date.
3 If you have any comments, mail them to:

4 The Arizona Corporation Commission
5 Attention: Docket Control
6 Re: Arizona Water Company
7 W-01445A-05-0701
8 1200 West Washington Street
9 Phoenix, Arizona 85007

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

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

19 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be mailed to its
20 existing customers and published at least once in a newspaper of general circulation in its service
21 territory, with publication and mailing to be completed no later than February 10, 2006.

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

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

28 IT IS FURTHER ORDERED that Staff shall file a Staff Report on or before February 17,
2006.

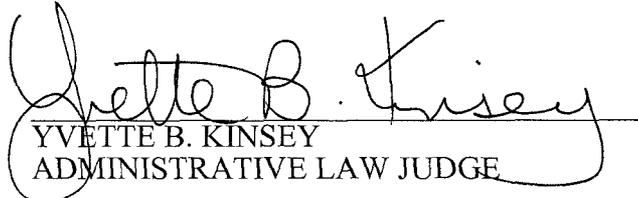
IT IS FURTHER ORDERED that the Applicant shall file any objections to the Staff Report
on or before March 8, 2006.

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 12th day of January, 2006

5
6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE

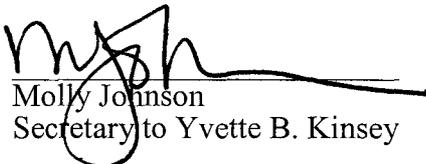
9 Copies of the foregoing mailed/delivered
this 12 day of January, 2006 to:

10 Robert W. Geake
11 Arizona Water Company
12 P.O. Box 29006
Phoenix, AZ 85038

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

15 Ernest G. Johnson, Director
16 Utilities Division
ARIZONA CORPORATION COMMISSION
17 1200 West Washington
Phoenix, AZ 85007

18 ARIZONA REPORTING SERVICE, INC.
19 2627 N. Third Street, Ste. Three
Phoenix, Arizona 85004-1104

20
21 By: 
22 Molly Johnson
Secretary to Yvette B. Kinsey