

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

2544

COMMISSIONERS

2005 SEP -1 A 9:50

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 AMERICAN WATER COMPANY, AN ARIZONA CORPORATION, FOR AN EXTENSION OF, AND DELETION FROM ITS SERVICE AREA UNDER ITS EXISTING CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER UTILITY SERVICES IN ITS MOHAVE SEWER DISTRICT.

DOCKET NO. WS-01303A-05-0315

PROCEDURAL ORDER

BY THE COMMISSION:

On April 29, 2005, Arizona American Water Company, on behalf of its Mohave Sewer District ("Company" or "Applicant"), filed an application for an extension of its Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public wastewater utility service to various parts of Mohave County, Arizona. The Company also requested the deletion of a small parcel from its certificated service area.

On May 25, 2005, the Commission's Utilities Division ("Staff") issued a notice of insufficiency which indicated that the Company's application had not met the sufficiency requirements of A.A.C. R14-2-610(C).

On June 21, 2005, pursuant to A.A.C. R14-2-610(C), Staff issued a letter of administrative completeness.

On June 24, 2005, pursuant to A.A.C. R14-3-101, the Commission issued a Procedural Order and scheduled a hearing on the application on August 30, 2005.

On August 2, 2005, Staff filed its report and recommended that a hearing not take place until eleven unresolved compliance issues which were the result of eight prior Commission Decisions are satisfied.

On August 30, 2005, a full public hearing was convened before a duly authorized

1 Administrative Law Judge of the Commission at its offices in Phoenix, Arizona. The Company and
2 Staff appeared with counsel. At the outset of the proceeding, Staff's recommendation to delay the
3 hearing until the outstanding compliance issues are resolved was adopted. Public notice was given
4 on July 8, 2005, but no one appeared to make public comment.

5 Accordingly, the hearing should be continued and the time-frame suspended until a joint
6 stipulation is filed by the parties requesting that the hearing be rescheduled once the compliance
7 issues are satisfied.

8 IT IS THEREFORE ORDERED that the hearing in the above-captioned matter is hereby
9 continued until a joint stipulation is filed by the Company and Staff to reschedule the hearing.

10 IT IS FURTHER ORDERED that, pursuant to A.A.C. R14-2-610, the time-frame is hereby
11 suspended until further Order.

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

15 DATED this 1st day of September, 2005


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered
19 this 1 day of September, 2005 to:

20 Craig A. Marks
19820 N. 7th Street, Ste. 201
21 Phoenix, AZ 85024

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

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

By: 
Molly Johnson
Secretary to Marc Stern