



BEFORE THE ARIZONA CORPORATION COMMISSION

254

COMMISSIONERS

2005 SEP 21 P 3:09

- 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 PERKINS MOUNTAIN UTILITY COMPANY FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY.

DOCKET NO. SW-20379A-05-0489

IN THE MATTER OF THE APPLICATION OF PERKINS MOUNTAIN UTILITY COMPANY FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-20380A-05-0490

PROCEDURAL ORDER

**BY THE COMMISSION:**

On July 7, 2005, Perkins Mountain Utility Company ("Perkins") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide potable wastewater to a master-planned community in Mohave County, Arizona.

On July 7, 2005, Perkins filed an application with the Commission for a Certificate to provide water to a master-planned community in Mohave County, Arizona.

On July 22, 2005, Perkins filed a Notice of Filing of Certificate of Good Standing in the above dockets.

On August 8, 2005, the Commission's Utilities Division ("Staff") filed Insufficiency Letters in the above dockets.

On August 25, 2005, Scott Fisher of Sports Entertainment filed a request that Perkins include a portion of Sports Entertainment's parcel in the proposed Certificate area for docket W-20380A-05-0490.

On August 30, 2005, Staff filed second Insufficiency Letters in the above dockets.

On September 14, 2005, Perkins filed a Notice of Filing Amended Legal Description for the above dockets.

1 On September 19, 2005, Staff filed its Sufficiency Letters indicating that the Company's  
2 applications have met the sufficiency requirements of A.A.C. R14-2-402C. Accordingly, the matter  
3 should be set for hearing.

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

6 IT IS THEREFORE ORDERED that the above-referenced dockets shall be consolidated for  
7 purposes of hearing.

8 IT IS FURTHER ORDERED that the **hearing** in the above-captioned matter shall be held on  
9 **December 5, 2005, at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's offices,  
10 1200 W. Washington, Phoenix, Arizona.

11 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,  
12 except that all motions to intervene must be filed on or before November 4, 2005.

13 IT IS FURTHER ORDERED that objections to any motions to intervene must be filed on or  
14 before November 18, 2005.

15 IT IS FURTHER ORDERED that Applicant shall serve public notice of the hearing in this  
16 matter, in the following form and style, with the heading in no less than 12 point bold type and the  
17 body in no less than 10 point regular type:

18  
19 **PUBLIC NOTICE OF HEARING ON THE APPLICATIONS BY**  
20 **PERKINS MOUNTAIN UTILITY COMPANY FOR CERTIFICATE OF CONVENIENCE**  
21 **AND NECESSITY TO PROVIDE WASTEWATER AND WATER SERVICE**  
**IN MOHAVE COUNTY, ARIZONA**  
**DOCKET NOS. SW-20379A-05-0489 and W-20379A-05-0490**

22 On July 7, 2005, Perkins Mountain Utility Company ("Perkins") filed with the  
23 Arizona Corporation Commission ("Commission") an application for a Certificate of  
24 Convenience and Necessity ("Certificate") to provide wastewater and water to two  
25 master-planned communities in Mohave County, Arizona. Golden Valley South  
26 consists of 5,750 acres and is located approximately five miles southeast of  
27 Kingman, Arizona. The Villages at White Hills consists of approximately 2,727  
28 acres and is located along U.S. Highway 93, approximately 29 miles south of  
Hoover Dam. If the Application is granted, Perkins would be the exclusive provider  
of wastewater and water service to the proposed areas, and would be required by the  
Commission to provide service under rates and charges and terms and conditions  
established by the Commission.

1 The application is available for inspection during regular business hours at the  
2 offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix,  
3 Arizona or in Tucson at 400 West Congress Street, Suite 218, and at the Company's  
4 offices, [insert address].

5 The Commission will hold a **hearing** on this matter on **December 5, 2005 at**  
6 **10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 W.  
7 Washington Street, Phoenix, Arizona. Public comment will be taken on the first day  
8 of the hearing.

9 The law provides for an open public hearing at which, under appropriate  
10 circumstances, interested parties may intervene. Intervention shall be permitted to any  
11 person entitled by law to intervene and having a direct and substantial interest in the  
12 matter. Persons desiring to intervene must file a written notice to intervene with the  
13 Commission, which motion should be sent to the Applicants or their counsel and to all  
14 parties of record, and which, at the minimum, shall contain the following:

- 15 1. The name, address, and telephone number of the proposed intervenor  
16 and of any party upon whom service of documents is to be made if  
17 different than the intervenor.
- 18 2. A short statement of the proposed intervenor's interest in the  
19 proceeding (e.g., a customer of the Applicants, a shareholder or  
20 member of the Applicants, etc.)
- 21 3. A statement certifying that a copy of the motion to intervene has been  
22 mailed to the Company or its counsel and to all parties of record in the  
23 case.

24 The granting of motions to intervene shall be governed by A.A.C. R14-3-105,  
25 except that all motions to intervene must be filed on or before November 4, 2005.  
26 The granting of intervention, among other things, entitles a party to present sworn  
27 evidence at hearing and to cross-examine other witnesses. Failure to intervene will  
28 not preclude any customer from appearing at the hearing and making a statement on  
the customer's own behalf. However, you will not receive any further notice of the  
proceeding unless requested by you.

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

24 The Commission does not discriminate on the basis of disability in admission to  
25 its public meetings. Persons with a disability may request a reasonable accommodation  
26 such as a sign language interpreter, as well as request this document in an alternative  
27 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-  
28 3931, E-mail lhogan@azcc.gov. Requests should be made as early as possible to allow  
time to arrange the accommodation.

26 IT IS FURTHER ORDERED that Applicant shall publish notice of the Application in a  
27 newspaper of general circulation in the proposed extension area and shall mail to each property  
28 owner in the requested extension area a copy of the above notice by October 11, 2005.

1 IT IS FURTHER ORDERED that the Applicant shall file certifications of mailing as soon as  
2 practicable after the publication and mailing has been completed but not later than November 1,  
3 2005.

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

6 IT IS FURTHER ORDERED that Commission Staff shall file its Staff Report no later than  
7 November 10, 2005.

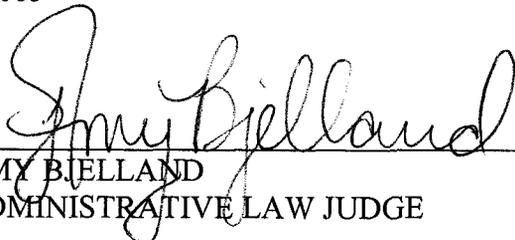
8 IT IS FURTHER ORDERED that Intervenor testimony, if any, shall be filed no later than  
9 November 10, 2005.

10 IT IS FURTHER ORDERED that responses by the Applicant, if any, to Staff's Report or  
11 Intervenor testimony shall be filed no later than November 25, 2005.

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

14 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
15 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

16 DATED this 21 day of September, 2005

17  
18   
19 AMY BJELLAND  
20 ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed/delivered  
22 this 21 day of September, 2005 to:

23 Deborah R. Scott  
24 Kimberly A. Grouse  
25 SNELL & WILMER  
26 One Arizona Center  
27 400 East Van Buren Street  
28 Phoenix, AZ 85004

...

1 Christopher Kempley, Chief Counsel  
2 Legal Division  
3 ARIZONA CORPORATION COMMISSION  
4 1200 West Washington Street  
5 Phoenix, Arizona 85007

6 Ernest Johnson, Director  
7 Utilities Division  
8 ARIZONA CORPORATION COMMISSION  
9 1200 West Washington Street  
10 Phoenix, Arizona 85007

11 ARIZONA REPORTING SERVICE, INC.  
12 2627 N. Third Street, Suite Three  
13 Phoenix, Arizona 85004-1104

14 By:   
15 Molly Johnson  
16 Secretary to Amy Bjelland