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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman 2005 SEP 26 P 3: 10  
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KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

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

DOCKET NO. W-01445A-05-0469

PROCEDURAL ORDER

BY THE COMMISSION:

On June 30, 2005, Arizona Water Company ("Arizona Water" or "Company") filed with the Arizona Corporation Commission ("Commission") an Application for an extension of its existing Certificate of Convenience and Necessity ("CC&N") for its Casa Grande system.

On July 21, 2005, Staff filed an Insufficiency Letter.

On August 30, 2005, Arizona Water filed Additional Information in Response to Staff's Insufficiency Letter.

On September 7, 2005, Staff filed a Letter of Sufficiency.

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** in the above-captioned matter shall commence on **December 9, 2005 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 November 4, 2005.

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

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

**PUBLIC NOTICE OF HEARING ON THE  
APPLICATION OF ARIZONA WATER COMPANY  
FOR AN EXTENSION OF ITS EXISTING CERTIFICATE OF  
CONVENIENCE AND NECESSITY FOR WATER SERVICE  
(W-01445A-05-0469)**

On June 30, 2005, Arizona Water Company (“Arizona Water”) filed an Application with the Arizona Corporation Commission (“Commission”) for an extension of its existing Certificate of Convenience and Necessity for its Casa Grande system, portions of which are located within the municipal boundaries of Casa Grande and Eloy, and the remainder of which are located in portions of unincorporated Pinal County. If the Application is granted, Arizona Water would be the exclusive provider of water to those areas, and would be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. The Application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and at the offices of the Company, [insert address].

The Commission will hold a hearing on this matter beginning on **December 9, 2005 at 10:00 a.m.** at the Commission’s offices, 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to the Applicants or its counsel and to all parties of record, and 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 Applicants, a shareholder of the Applicants, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicants or their 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 November 4, 2005. 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 potential customer from appearing at the hearing and making a statement on such person’s own behalf. You will not, however, receive any further notice of the proceeding unless requested by you.

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

IT IS FURTHER ORDERED that Arizona Water shall publish notice of the Application in a

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newspaper of general circulation in the proposed extension area and shall mail to each property owner in the requested extension area a copy of the above notice by October 11, 2005.

IT IS FURTHER ORDERED that Arizona Water shall file certification of mailing/publication as soon as practical after the mailing/publication has been completed but not later than November 1, 2005.

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

IT IS FURTHER ORDERED that Staff shall file a Staff Report by November 10, 2005.

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

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

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.

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

DATED this 26 day of September, 2005

  
AMY B. BJELLAND  
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 26 day of September, 2005 to:

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

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

6 Ernest G. 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 B. Bjelland

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