



BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2005 OCT 12 A 10: 34
AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
WATER UTILITY OF GREATER TONOPAH,
INC., FOR APPROVAL TO EXTEND OR
TRANSFER ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-02450A-05-0430

PROCEDURAL ORDER

BY THE COMMISSION:

On June 10, 2005, Water Utility of Greater Tonopah, Inc., ("Tonopah" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application to transfer from West Phoenix Water Company, Inc., to Tonopah its Certificate of Convenience and Necessity ("Certificate") which includes the West half of Section 30 and all of Section 31, Township 2 North, Range 6 West, in Maricopa County, Arizona.

On September 12, 2005, a full public hearing was convened before a duly authorized Administrative Law Judge of the Commission at its offices in Phoenix, Arizona. Applicant and Staff appeared through counsel at the hearing and presented evidence and testimony in the matter. No members of the public appeared to give public comment. At the conclusion of the hearing, pending late-filed exhibits by Staff and the applicant, the matter was taken under advisement.

On October 3, 2005, an Application to Intervene by Sierra Negra Ranch, LLC ("Sierra") was docketed in the matter. Sierra's application indicated it is located within the extension or transfer area requested by Tonopah. Further, Sierra stated that it had not requested water or wastewater service from Tonopah and that it had concerns regarding the technical and financial capability of Tonopah to serve future development within Sierra and the surrounding areas.

On October 5, 2005, Sierra additionally filed an Application to Intervene and Request to Supplement the Record. In its filing Sierra stated it did not receive notice of the hearing held on September 12, 2005 and that it objected to the inclusion of its land within Tonopah's CC&N.

IT IS THEREFORE ORDERED that Water Utility of Greater Tonopah shall docket by

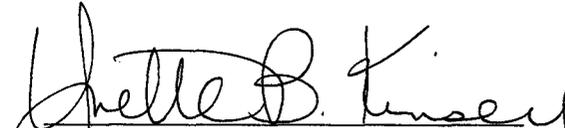
1 October 31, 2005, a Response to Sierra's Application to Intervene and Request to Supplement the
2 Record, including, but not limited to, showing proof that it mailed notice of the September 12, 2005
3 hearing to the party.

4 IT IS FURTHER ORDERED that Staff shall docket, by November 21, 2005, a supplemental
5 Staff Report addressing the issues raised in Sierra's Application to Intervene and Request to
6 Supplement the Record and Water Utility of Greater Tonopah's Response to Sierra.

7 IT IS FURTHER ORDERED that the time clock in this matter is suspended accordingly.

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

10 DATED this 12th day of October 2005.

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13 
14 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

15 Copies of the foregoing mailed/delivered
16 this 12 day of October 2005 to:

17 John Mihlik, Jr.
18 Chief Financial Officer
19 Water Utility of Greater Tonopah
3800 N. Central Avenue #770
Phoenix, Arizona 85012

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24 By: 
25 Molly Johnson
26 Secretary to Yvette B. Kinsey
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