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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2005 NOV 30 P 2:12

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL AZ CORP COMMISSION
MARC SPITZER DOCUMENT CONTROL
MIKE GLEASON
KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF
NEW LIFE TRUST, INC. FOR APPROVAL OF
THE SALE OF ITS ASSETS TO DATELAND
WATER, LLC.

DOCKET NO. W-20378A-05-0536
DOCKET NO. W-20395A-05-0536

PROCEDURAL ORDER

BY THE COMMISSION:

On July 25, 2005, New Life Trust, Inc. ("New Life" or "Applicant"), filed with the Arizona Corporation Commission ("Commission") an application for approval of the sale of its assets and the transfer of its Certificate of Convenience and Necessity ("Certificate" or "CC&N") to Dateland Water, LLC ("Dateland").

On February 18, 2003, in Commission Decision No. 65649, the Commission revoked New Life's CC&N because it had failed to file its 2001 annual reports with the Commission. Subsequently, on July 1, 2005, New Life filed in Docket No. W-20378A-05-0485 an application with the Commission to reinstate and extend its CC&N.

On November 8, 2005, New Life filed a request to withdraw its application to reinstate and extend its CC&N.

On November 18, 2005, Staff filed a Staff Report by which it recommends approval of New Life's request for the sale of its assets to Dateland.

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 January 19, 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,

1 except that all motions to intervene must be filed on or before January 6, 2006.

2 IT IS FURTHER ORDERED that objections to any motions to intervene must be filed within
3 10 days but no later than January 13, 2006.

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

7 **PUBLIC NOTICE OF THE HEARING FOR NEW LIFE TRUST, INC.**
8 **FOR APPROVAL OF THE SALE OF ITS ASSETS TO**
9 **DATELAND WATER, LLC**
Docket No. W-20378A-05-0536 et al.

10 On July 25, 2005, New Life Trust, Inc. ("Applicant") filed an application for approval
11 of the sale of its assets and the transfer of its Certificate of Convenience and
12 Necessity ("Certificate" or "CC&N") to Dateland Water, LLC. The application,
13 report of the Commission's Utilities Division Staff, and any written exceptions to the
14 staff report prepared by the applicant are available for inspection during regular
15 business hours at the offices of the Commission located at 1200 West Washington
16 Street, Phoenix, Arizona 85007, and at offices of the Company, [address] and on the
17 internet via the Commission website (www.azcc.gov) using the e-docket function.

18 The Commission will hold a public hearing on this matter on **January 19, 2006 at**
19 **10:00 a.m.** at the Commission's offices, at 1200 West Washington Street, Phoenix,
20 Arizona. Public comment will be taken on the first day of the hearing.

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

- 28 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 Company, a shareholder of the Company, a competitor, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed
to the Company 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 **January 6, 2006**. The granting
of intervention, among other things, entitles a party to present sworn evidence at the
hearing and to cross-examine other witnesses. Failure to intervene will not preclude
any interested person or entity from appearing at the hearing and making a statement
on their own behalf. You will not, however, receive any further notice of the

1 proceeding unless requested by you. Please check with the Commission for any
2 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: New Life Trust, Inc.
7 W-20378A-05-0536 et al.
8 1200 West Washington Street
9 Phoenix, Arizona 85007

10 If you have any questions about this application, or want information on intervention,
11 you 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
14 public meetings. Persons with a disability may request a reasonable accommodation
15 such as sign language interpreter, as well as request this document in an alternative
16 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602-542-
17 3931, E-mail lghogan@azcc.gov. Requests should be made as early as possible to
18 allow time to 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 December 23, 2005.

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 January 6,
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 all parties must comply with Rule 33(c) and (d) of the
Rules of the Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

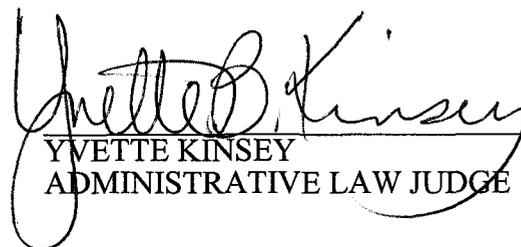
IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to
appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter
is scheduled for discussion, unless counsel has previously been granted permission to withdraw by

1 the Administrative Law Judge or the Commission.

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

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

7 DATED this 30th day of November, 2005

8
9
10 
11 YVETTE KINSEY
12 ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
14 this 30 day of November, 2005 to:

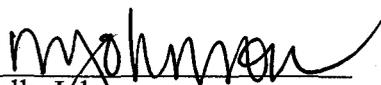
15 Ben Thomas
16 3412 West 2nd Street
17 Anacortes, WA 98221

18 Christopher Kempley, Chief Counsel
19 Legal Division
20 ARIZONA CORPORATION COMMISSION
21 1200 West Washington Street
22 Phoenix, Arizona 85007

23 Ernest Johnson, Director
24 Utilities Division
25 ARIZONA CORPORATION COMMISSION
26 1200 West Washington Street
27 Phoenix, Arizona 85007

28 ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Ste. Three
Phoenix, AZ 85004-1003

By:


Molly Johnson
Secretary to Yvette Kinsey