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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
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KRISTIN K. MAYES

2005 DEC -5 1 P 2: 24
AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
ANTELOPE LAKES WATER COMPANY, INC. ,
AN ARIZONA CORPORATION, FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
WATER SERVICE TO VARIOUS PARTS OF
YAVAPAI COUNTY, ARIZONA.

DOCKET NO. W-02740A-05-0089

PROCEDURAL ORDER

BY THE COMMISSION:

On February 11, 2005, Antelope Lakes Water Company, Inc. ("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 water utility service to various parts of Yavapai County, Arizona.

On March 10, 2005, pursuant to A.A.C. R14-2-411, the Commission's Utilities Division ("Staff") issued a notice of insufficiency.

On August 3, 2005, pursuant to A.A.C. R14-2-411, Staff issued a letter of sufficiency.

On August 8, 2005, by Procedural Order, the Company was ordered to provide notice of the proceeding by September 2, 2005, Staff was ordered to file its Staff Report by September 15, 2005, and a hearing was scheduled for October 5, 2005.

On September 8, 2005, Staff filed its report.

On September 14, 2005, the Company filed a Motion to Vacate ("Motion") the hearing. The Company requested the hearing be vacated because it had failed to provide public notice pursuant to the Commission's Procedural Order. The Company also agreed to the waiver of the time-frame rule, A.A.C. R14-2-411. Staff does not oppose the Company's Motion.

On September 21, 2005, by Procedural Order, the Company's Motion was granted and the hearing vacated. The Company was ordered to provide public notice by October 14, 2005, and the

1 hearing was rescheduled for November 15, 2005. Pursuant to the Company's waiver, the time-frame
2 was suspended.

3 On October 24, 2005, the Company filed certification that I had provided public notice.

4 On November 15, 2005, a full public hearing was convened before a duly authorized
5 Administrative Law Judge of the Commission at its offices in Phoenix, Arizona. The Company and
6 Staff appeared with counsel. At the conclusion of the hearing, the matter was taken under
7 advisement pending submission of a Recommended Opinion and Order to the Commission.
8 However, before a Recommended Opinion and Order can be issued on this application, information
9 must be filed by the Applicant regarding the results of testing for the arsenic level, the costs, if
10 necessary, for bringing the arsenic level into compliance with the soon to be applicable maximum
11 contaminant level for arsenic, and Staff must have an opportunity to review such information, and to
12 file a response. Following submission of this additional information, a determination will be made as
13 to whether additional hearings are necessary or whether this matter can proceed directly to the
14 issuance of a Recommended Opinion and Order.

15 IT IS THEREFORE ORDERED that Antelope Lakes Water Company, Inc. shall test its new
16 well for the arsenic level and file, within 60 days of this Procedural Order, to the Commission's
17 Docket Control, a copy of its Inorganic Chemical Analysis Report which will show the arsenic
18 concentration of the new well source.

19 IT IS FURTHER ORDERED that Staff shall file, within 21 days of the Applicant's filing,
20 with the Commission's Docket Control, its response and/or additional recommendations which Staff
21 may feel necessary to the Inorganic Chemical Analysis Report filed by the Company.

22 IT IS FURTHER ORDERED that the time-frame shall remain suspended as previously
23 ordered.

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

4 DATED this 5TH day of December, 2005


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

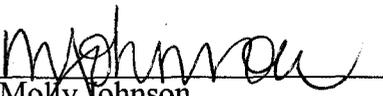
8 Copies of the foregoing mailed/delivered
9 this 5 day of December, 2005 to:

10 Paul D. Levie
11 Antelope Lakes Water Company, Inc.
12 P.O. Box 350
Chino Valley, AZ 86323

13 Christopher Kempley, Chief Counsel
14 Legal Division
ARIZONA CORPORATION COMMISSION
15 1200 West Washington Street
Phoenix, Arizona 85007

16 Ernest Johnson, Director
17 Utilities Division
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18 1200 West Washington Street
Phoenix, Arizona 85007

19 By:


Molly Johnson
Secretary to Marc Stern