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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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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
ARIZONA WATER COMPANY FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-01445A-05-0701

PROCEDURAL ORDER

BY THE COMMISSION:

On October 4, 2005, Arizona Water Company ("AWC" or "Applicant"), filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide additional water service within its Superstition System, in Pinal County, Arizona.

On November 3, 2005, the Commission's Utilities Division ("Staff") filed an Insufficiency Letter.

On December 12, 2005, AWC filed a Response to Staff's Insufficiency Letter.

On January 9, 2006, Staff filed a Sufficiency Letter in this docket indicating that the Applicant's application has met the sufficiency requirements as outlined in the Arizona Administrative Code.

On January 12, 2006, by Procedural Order, a hearing and deadlines were scheduled.

On January 19, 2006, Applicant filed a Motion to Continue Hearing stating a scheduling conflict and that Staff did not oppose the continuance.

Accordingly, the hearing and the deadlines in this matter should be rescheduled and the time-clock extended.

IT IS THEREFORE ORDERED that the **hearing** shall be rescheduled to **April 6, 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,

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1 except that all motions to intervene must be filed on or before March 23, 2006.

2 IT IS FURTHER ORDERED that objections to any motions to intervene must be filed within
3 10 days but no later than March 30, 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 HEARING ON THE**
8 **APPLICATION OF ARIZONA WATER CO.**
9 **FOR AN EXTENSION OF ITS CERTIFICATE OF**
10 **CONVENIENCE AND NECESSITY**
11 **Docket No. W-01445A-05-0701**

12 On October 4, 2005, Arizona Water Company ("AWC" or "Applicant") filed an
13 application with the Arizona Corporation Commission ("Commission") for an extension
14 of its Certificate of Convenience and Necessity ("CC&N") to provide water utility
15 service in Pinal County, Arizona. If the application is granted, the Applicant would be
16 the exclusive provider of water to the proposed area, and would be required by the
17 Commission to provide service under rates and charges and terms and conditions
18 established by the Commission. The application is available for inspection during regular
19 business hours at the offices of the Commission in Phoenix, at 1200 West Washington
20 Street, Phoenix, Arizona, and at the offices of the Company, [insert address] and on the
21 internet via the Commission website (www.azcc.gov) using the e-docket function.

22 The Commission will hold a hearing on this matter beginning **April 6, 2006 at 10:00**
23 **a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.
24 Public comment will be taken on the first day of the hearing.

25 The law provides for an open public hearing at which, under appropriate circumstances,
26 interested parties may intervene. Intervention shall be permitted to any person entitled by
27 law to intervene and having a direct and substantial interest in the matter. Persons
28 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:

- 29 1. The name, address, and telephone number of the proposed intervenor and
30 of any party upon whom service of documents is to be made if different
31 than the intervenor.
- 32 2. A short statement of the proposed intervenor's interest in the proceeding
33 (e.g., a customer of the Applicant, a shareholder of the Applicant, a
34 competitor, etc.).
- 35 3. A statement certifying that a copy of the motion to intervene has been
36 mailed to the Applicant or its counsel and to all parties of record in the
37 case.

38 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that

1 all motions to intervene must be filed on or before March 23, 2006. The granting of
2 intervention, among other things, entitles a party to present sworn evidence at hearing
3 and to cross-examine other witnesses. Failure to intervene will not preclude any person
4 or entity customer appearing at the hearing and making a statement on their own behalf.
You will not, however, receive any further notice of the proceeding unless requested by
you. Please check with the Commission for any changes to the scheduled hearing date.
If you have any comments, mail them to:

5 The Arizona Corporation Commission
6 Attention: Docket Control
7 Re: Arizona Water Company
8 W-01445A-05-0701
9 1200 West Washington Street
10 Phoenix, Arizona 85007

11 If you have any questions about this application, or want information on intervention, you
12 may contact the Consumer Services Section of the Commission, at 1200 West
13 Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

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

20 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be mailed to its
21 existing customers and published at least once in a newspaper of general circulation in its service
22 territory, with publication and mailing to be completed no later than March 3, 2006.

23 IT IS FURTHER ORDERED that Applicant shall file certification of mailing and publication
24 as soon as practicable after the mailing/publication has been completed, but not later than March 17,
25 2006.

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

IT IS FURTHER ORDERED that Staff shall file a Staff Report on or before March 9, 2006.

IT IS FURTHER ORDERED that the Applicant shall file any objections to the Staff Report
on or before March 20, 2006.

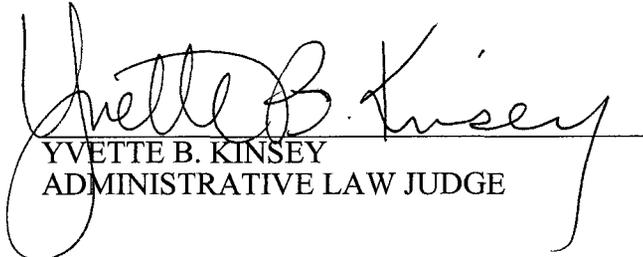
IT IS FURTHER ORDERED that the time-clock in this matter shall be extended by ten days.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized

1 Communications) applies to this proceeding as the matter is now set for public hearing.

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

5 Dated this 1st day of February, 2006

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9 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

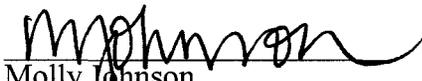
10 Copies of the foregoing mailed/delivered
this 1 day of February, 2006 to:

11 Robert W. Geake
12 Arizona Water Company
13 P.O. Box 29006
Phoenix, AZ 85038

14 Christopher Kempsey, Chief Counsel
15 Legal Division
ARIZONA CORPORATION COMMISSION
16 1200 West Washington Street
Phoenix, AZ 85007

17 Ernest G. Johnson, Director
18 Utilities Division
ARIZONA CORPORATION COMMISSION
19 1200 West Washington
Phoenix, AZ 85007

20 ARIZONA REPORTING SERVICE, INC.
21 2627 N. Third Street, Ste. Three
Phoenix, Arizona 85004-1104

22 By: 
23 Molly Johnson
24 Secretary to Yvette B. Kinsey
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