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BEFORE THE ARIZONA CORPORATION COMMISSION

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WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

AUG 06 2001

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DOCKETED BY [Signature]

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
ARIZONA WATER COMPANY TO EXTEND ITS  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY AT MIAMI, GILA COUNTY,  
ARIZONA.

DOCKET NO. W-01445A-01-0546

**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On July 10, 2001, Arizona Water Company ("AWC" of "Company") filed an application for an extension of its Certificate of Convenience and Necessity ("Certificate") to provide water service in an area of Miami, Gila County, Arizona.

On July 18, 2001, the Arizona Corporation Commission ("Commission") Utilities Division ("Staff") filed its Sufficiency Letter indicating that the Company's Certificate application has met the sufficiency requirements of A.A.C. R14-2-402C. Accordingly, the matter should be set for hearing.

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall be held on **October 10, 2001 at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

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 **September 24, 2001**.

IT IS FURTHER ORDERED that AWC shall serve public notice of the hearing in this matter, in the following form and style:

**PUBLIC NOTICE OF HEARING ON APPLICATION BY  
ARIZONA WATER COMPANY FOR  
AN EXTENSION OF ITS CERTIFICATE OF CONVENIENCE  
AND NECESSITY TO PROVIDE WATER SERVICE  
IN MIAMI, GILA COUNTY, ARIZONA**

On July 10, 2001 Arizona Water Company ("AWC" or "Company") filed an application for an extension of its Certificate of Convenience and Necessity ("Certificate") to provide water service to property located in Miami, Gila County,

1 Arizona. If the application is granted, Arizona Water Company would be the exclusive  
2 provider of water and wastewater service to the affected area.

3 The applications are available for inspection during regular business hours at  
4 the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix,  
5 Arizona and at the Company's offices, [insert applicants' addresses].

6 The Commission will hold a hearing on this matter on October 10, 2001 at  
7 10:00 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200  
8 West Washington Street, Phoenix, Arizona. As a property owner or customer you  
9 may have the right to intervene in the proceeding. If you do not want to intervene, you  
10 may appear at the hearing and make a statement on your own behalf. Intervention  
11 shall be permitted to any person entitled by law to intervene and having a direct and  
12 substantial interest in the matter. Persons desiring to intervene must file a written  
13 notice to intervene with the Commission, which motion should be sent to the  
14 Applicants or their counsel and to all parties of record, and which, at the minimum,  
15 shall contain the following:

- 16 1. The name, address, and telephone number of the proposed intervenor  
17 and of any party upon whom service of documents is to be made if  
18 different than the intervenor.
- 19 2. A short statement of the proposed intervenors interest in the proceeding  
20 (e.g., a customer of the Applicants, a shareholder or member of the  
21 Applicants, etc.)
- 22 3. A statement certifying that a copy of the motion to intervene has been  
23 mailed to the Company or its counsel and to all parties of record in the  
24 case.

25 The granting of motions to intervene shall be governed by A.A.C. R14-3-105,  
26 except that all motions to intervene must be filed on or before September 24, 2001.  
27 The granting of intervention, among other things, entitles a party to present sworn  
28 evidence at hearing and to cross-examine other witnesses. However failure to  
intervene will not preclude any customer from appearing at the hearing and making a  
statement on such customer's own behalf. However, you will not receive any further  
notice of the proceeding unless requested by you.

If you have any questions or concerns about this application or have any  
objections to its approval, or wish to make a statement in support of it, you may write  
the Consumer Services Section of the Commission at 1200 West Washington Street,  
Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make  
comment.

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 Shelly Hood, ADA Coordinator, voice phone number 602/542-  
3931, E-mail [shood@cc.state.az.us](mailto:shood@cc.state.az.us). Requests should be made as early as possible to  
allow time to arrange the accommodation.

1 IT IS FURTHER ORDERED that AWC shall mail to all property owners in the affected  
2 service area a copy of this notice by first-class U.S. Mail, to begin as soon as possible and to be  
3 completed on or before **September 4, 2001**.

4 IT IS FURTHER ORDERED that AWC shall file certifications of mailing by **September 24,**  
5 **2001**.

6 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing,  
7 notwithstanding the failure of an individual property owner or customer to read or receive the notice.

8 IT IS FURTHER ORDERED that Staff shall file its Staff Report no later than **September 24,**  
9 **2001**.

10 IT IS FURTHER ORDERED that responses by AWC, if any, to Staff's Report shall be filed  
11 no later than **October 3, 2001**.

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

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

16 DATED this 6 day of August, 2001.

17  
18   
19 PHILIP J. DION III  
20 ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed  
22 this 6 day of August, 2001 to:

23 Robert W. Geake  
24 ARIZONA WATER COMPANY  
25 P.O. Box 29006  
26 Phoenix, Arizona 85038

27 Christopher Kempley, Chief Counsel  
28 Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

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1 Steve Olea, Acting Director  
2 Utilities Division  
3 ARIZONA CORPORATION COMMISSION  
4 1200 West Washington Street  
5 Phoenix, Arizona 85007

6  
7 ARIZONA REPORTING SERVICE, INC.  
8 2627 N. Third Street, Suite Three  
9 Phoenix, Arizona 85004-1104

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By:   
Debbi Person  
Secretary to Philip J. Dion III