

ORIGINAL



RECEIVED  
BEFORE THE ARIZONA CORPORATION COMMISSION

25FD

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

COMMISSIONERS

2006 FEB 10 A 10: 58

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  
KACY PARKER dba ARROYO WATER  
COMPANY FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
WATER SERVICE AND FOR APPROVAL OF  
THE SALE OF ASSETS TO KACY PARKER.

DOCKET NO. W-04286A-04-0774

PROCEDURAL ORDER

**BY THE COMMISSION:**

On September 13, 2004, a Procedural Order was issued in Docket No. W-03672A-01-0474 (*In the Matter of the Complaint of Utilities Division Staff v. Arroyo Water Co., Inc.*) directing Kyle and Kacy Parker to file an application for sale of assets and for transfer of the current Certificate of Convenience and Necessity ("CC&N") for Arroyo Water Company, Inc. ("Arroyo Water"). Based on an investigation in that docket, the Commission's Utilities Division Staff ("Staff") indicated that Kyle and Kacy Parker appear to have purchased the assets of Arroyo Water from Richard Williamson, the prior owner, yet no application for authority to transfer the assets or CC&N had been filed with the Commission.

On October 19, 2004, Kacy Parker dba Arroyo Water Company filed an application in the above-captioned docket for a new CC&N and for approval of the sale of assets to Kacy Parker.

By Procedural Order issued April 19, 2005, Staff was directed to file a Staff Report by June 3, 2005, addressing the ownership and operational status of Arroyo Water, as well as any ongoing issues with respect to Arizona Department of Environmental Quality compliance issues and Staff's recommendation regarding the proposed transfer of assets and issuance of a CC&N to Kacy Parker dba Arroyo Water Company.

On June 1, 2005, Staff filed a request for an extension of time, until June 24, 2005, to file the Staff Report ordered by the April 19, 2005 Procedural Order.

By Procedural Order dated June 2, 2005, Staff was granted an extension to file its Staff

1 Report until June 24, 2005. Arroyo Water was ordered to file a response to the Staff Report  
2 by July 11, 2005.

3 On June 24, 2005, Staff filed its Staff Report stating they needed additional information  
4 before completing its review and analysis of the application.

5 To date, neither Kacy Parker nor Arroyo Water has responded to the Staff Report.

6 IT IS THEREFORE ORDERED that Kacy Parker dba Arroyo Water Company shall file a  
7 response to the Staff Report by **February 24, 2006**. A copy of the Staff Report is attached to this  
8 Procedural Order.

9 IT IS FURTHER ORDERED that failure by Kacy Parker dba Arroyo Water Company to  
10 respond to the Staff Report by February 24, 2006 may result in a recommendation to the Commission  
11 to issue an Order to Show Cause for failure to comply and/or any other necessary and appropriate  
12 action to ensure that customers of Arroyo Water are receiving adequate service.

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

15 Dated this 10<sup>th</sup> day of February, 2006

16  
17 

18 DWIGHT D. NODES  
19 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

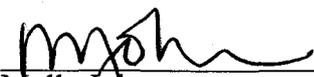
20 Copies of the foregoing mailed/delivered  
this 10 day of February, 2006 to:

21 Kacy Parker dba Arroyo Water Company  
22 HC 6, Box 1048-H  
23 Payson, AZ 85541  
**(VIA CERTIFIED AND REGULAR MAIL)**

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

24 Richard W. Williamson  
25 Arroyo Water Company, Inc.  
26 P.O. Box 231  
27 Young, AZ 85554  
**(VIA CERTIFIED AND REGULAR MAIL)**

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

28 By:   
Molly Johnson  
Secretary to Dwight D. Nodes