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BEFORE THE ARIZONA CORPORATION COMMISSION

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WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

MAY 23 2001

2001 MAY 23 P 2:58

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AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
SUN VALLEY UTILITIES, INC. TO EXTEND ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY

DOCKET NO. W-01698A-01-0323

PROCEDURAL ORDER

BY THE COMMISSION:

On April 16, 2001, Sun Valley Utilities, Inc. ("Sun Valley" 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 Navajo County, Arizona.

According to A.A.C. R14-2-411, the timeframe for processing this application expires 150 days after the application is deemed administratively complete. The Commission's Utilities Division ("Staff") did not issue a notice of administrative completeness within 30 calendar days.

In accordance with A.R.S. § 41-1074(C), the application herein is deemed administratively complete.

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 a hearing shall commence on August 14, 2001 at 9:30 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 the Staff Report and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on July 16, 2001.

IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits to be presented at hearing by Applicant shall be reduced to writing and filed on or before 4:00 p.m.

1 on July 30, 2001.

2 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
3 except that all motions to intervene must be filed on or before July 20, 2001.

4 IT IS FURTHER ORDERED that Applicant shall provide public notice of the hearing in this
5 matter, in the following form and style:

6 **PUBLIC NOTICE OF THE HEARING FOR**
7 **SUN VALLEY UTILITIES, INC., FOR AN EXTENSION OF ITS**
8 **CERTIFICATE OF CONVENIENCE AND NECESSITY**

9 On April 16, 2001, Sun Valley Utilities, Inc. ("Applicant") filed an application for an
10 extension of its CC&N to various parts of Navajo County, Arizona.

11 The application is available for inspection during regular business hours at the offices
12 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona
13 and at the Applicant's office, [insert office address].

14 The Commission will hold a hearing on this matter commencing on August 14,
15 2001, at 9:30 a.m. at the Commission's offices, 1200 West Washington Street,
16 Phoenix, Arizona. Public comments will be taken on the first day of the hearing.

17 The law provides for an open public hearing at which, under appropriate
18 circumstances, interested parties may intervene. Intervention shall be permitted to
19 any person entitled by law to intervene and having a direct and substantial interest in
20 the matter. Persons desiring to intervene must file a written motion to intervene with
21 the Commission, which motion should be sent to Applicant or its counsel and to all
22 parties of record, and which, at the minimum, shall contain the following:

- 23 1. The name, address, and telephone number of the proposed intervenor and of
24 any party upon whom service of documents is to be made if different than the
25 intervenor.
- 26 2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,
27 a customer of Applicant, a shareholder of Applicant, a competitor, etc.).
- 28 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 July 20, 2001. The granting
of intervention, among other things, entitles a party to present sworn 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.

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.

1 The Commission does not discriminate on the basis of disability in admission to its
2 public meetings. Persons with a disability may request a reasonable accommodation
3 such as a sign language interpreter, as well as request this document in an alternative
4 format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-
5 3931, E-mail shood@cc.state.az.us. Requests should be made as early as possible to
6 allow time to arrange the accommodation.

7 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be published at
8 least once in a newspaper of general circulation in its service territory, with publication to be
9 completed no later than June 30, 2001.

10 IT IS FURTHER ORDERED that Applicant shall file certification of publication as soon as
11 practicable after the publication has been completed.

12 IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same,
13 notwithstanding the failure of an individual customer to read or receive the notice.

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

17 DATED this 23rd day of May, 2001.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

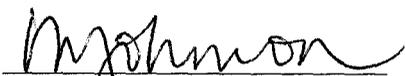
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19 Copies of the foregoing mailed/delivered
20 this 23rd day of May, 2001 to:

21 Jack Vicars
22 Sun Valley Utilities
23 P.O. Box 4054
24 Sun Valley, AZ 86029

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

29 Deborah Scott, Director
30 Utilities Division
31 ARIZONA CORPORATION COMMISSION
32 1200 West Washington Street
33 Phoenix, Arizona 85007

1 ARIZONA REPORTING SERVICE, INC.
2 2627 N. Third Street, Suite Three
3 Phoenix, Arizona 85004-1104

4 By: 
5 Molly Johnson
6 Secretary to Marc Stern
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