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BEFORE THE ARIZONA CORPORATION COMMISSION
Arizona Corporation Commission

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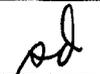
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2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
4 MARC SPITZER
COMMISSIONER

DOCKETED

JUN 26 2001

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AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY 

5
6 IN THE MATTER OF THE APPLICATION OF ICR
WATER USERS ASSOCIATION, INC. TO
7 EXTEND ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY

DOCKET NO. W-02824A-01-0450

PROCEDURAL ORDER

8
9 **BY THE COMMISSION:**

10 On June 1, 2001, ICR Water Users Association, Inc. ("ICR" or "Applicant"), filed an
11 application for an extension of its Certificate of Convenience and Necessity ("Certificate") with the
12 Arizona Corporation Commission ("Commission") to provide public water utility service to various
13 parts of Yavapai County, Arizona.

14 On June 7, 2001, Harvard Simon I, L.L.C. ("Harvard") filed a Motion to Intervene
15 ("Motion"). No objections have been filed to Harvard's Motion. Accordingly, the Motion should be
16 granted.

17 On June 15, 2001, the Commission's Utilities Division ("Staff") issued a notice of
18 administrative completeness that the application had met the sufficiency requirements of A.A.C. R14-
19 2-402(C).

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

22 Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern
23 the preparation and conduct of this proceeding.

24 IT IS THEREFORE ORDERED that a hearing shall commence on September 6, 2001 at 9:30
25 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street,
26 Phoenix, Arizona 85007.

27 IT IS FURTHER ORDERED that Harvard Simon I, L.L.C. shall be granted intervenor status.

28 IT IS FURTHER ORDERED that the Staff Report and associated exhibits to be presented at

1 hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on August 9,
2 2001.

3 IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits
4 to be presented at hearing by Applicant shall be reduced to writing and filed on or before 4:00 p.m.
5 on August 23, 2001.

6 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
7 except that all motions to intervene must be filed on or before August 16, 2001.

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

10 **PUBLIC NOTICE OF THE HEARING FOR**
11 **ICR WATER USERS ASSOCIATION, INC., FOR AN EXTENSION OF ITS**
12 **CERTIFICATE OF CONVENIENCE AND NECESSITY**

13 On June 15, 2001, ICR Water Users Association, Inc. ("Applicant") filed an
14 application for an extension of its CC&N to various parts of Yavapai County,
15 Arizona.

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

19 The Commission will hold a hearing on this matter commencing on September 6,
20 2001, at 9:30 a.m. at the Commission's offices, 1200 West Washington Street,
21 Phoenix, Arizona. Public comments will be taken on the first day of the hearing.

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

- 28 1. The name, address, and telephone number of the proposed intervenor and of
any party upon whom service of documents is to be made if different than the
intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,
a customer of Applicant, a shareholder of Applicant, a competitor, etc.).
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 August 16, 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

1 intervene will not preclude any customer from appearing at the hearing and making a
2 statement on such customer's own behalf.

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

8 The Commission does not discriminate on the basis of disability in admission to its
9 public meetings. Persons with a disability may request a reasonable accommodation
10 such as a sign language interpreter, as well as request this document in an alternative
11 format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-
12 3931, E-mail shood@cc.state.az.us. Requests should be made as early as possible to
13 allow time to arrange the accommodation.

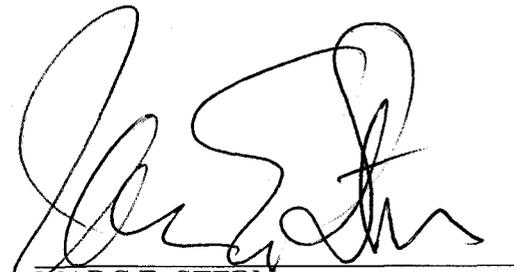
14 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be published at
15 least once in a newspaper of general circulation in its service territory, with publication to be
16 completed no later than July 18, 2001.

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

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

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

24 DATED this ^{27th} ~~26th~~ day of June, 2001.


25 MARC E. STERN
26 ADMINISTRATIVE LAW JUDGE

27 Copies of the foregoing mailed/delivered
28 this 26th day of June, 2001 to:

29 Thomas H. Campbell
30 Michael Hallmam
31 LEWIS & ROCA
32 40 North Central Avenue
33 Phoenix, AZ 85004-4429
34 Attorneys for ICR Water Users Association, Inc.

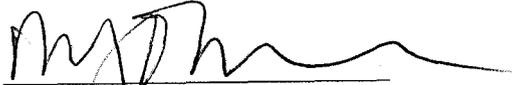
1 Swayze E. McCraine
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2 Prescott, AZ 86305

3 Jay Shapiro
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6 Christopher Kempsey, Chief Counsel
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8 1200 West Washington Street
Phoenix, Arizona 85007

9 Deborah Scott, Director
10 Utilities Division
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11 1200 West Washington Street
Phoenix, Arizona 85007

12 ARIZONA REPORTING SERVICE, INC.
13 2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

14
15 By: 
16 Molly Johnson
17 Secretary to Marc Stern

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