



25 H

ORIGINAL

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

2001 NOV 23 P 3:45

DOCKETED

NOV 23 2001

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY *CP*

1
2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
4 MARC SPITZER
COMMISSIONER

5
6 IN THE MATTER OF THE APPLICATION OF
MOHAWK WATER COMPANY FOR APPROVAL
7 OF THE SALE OF ASSETS AND
CANCELLATION OF ITS CERTIFICATE OF
8 CONVENIENCE AND NECESSITY.

DOCKET NO. W-02224A-01-0802

9
10 IN THE MATTER OF THE APPLICATION OF
ANDERSON BROTHERS FARMS, INC. dba
ANDERSON BROTHERS WATER COMPANY
11 FOR APPROVAL OF THE SALE OF ASSETS
AND CANCELLATION OF ITS CERTIFICATE OF
12 CONVENIENCE AND NECESSITY.

~~DOCKET NO. W-02224A-01-0802~~

PROCEDURAL ORDER

BY THE COMMISSION:

13
14 On October 12, 2001, Mohawk Water Company ("Mohawk") filed an application with the
15 Arizona Corporation Commission ("Commission") to cancel its Certificate of Convenience and
16 Necessity ("Certificate") and to sell its assets to the Copper Mountain Ranch Community Facilities
17 District ("District"). Also on October 12, 2001, Anderson Brothers Farms, Inc., dba Anderson
18 Brothers Water Company ("Anderson Brothers") filed an application to cancel its Certificate and to
19 sell its assets to the District.

20 On October 29, 2001, the Commission's Utilities Division Staff ("Staff") filed Sufficiency
21 Letters in these matters indicating that Mohawk's and Anderson Brothers' applications met the
22 sufficiency requirements of A.A.C. R14-2-402C.

23 On November 1, 2001, Procedural Orders were issued in these matters establishing the
24 preparation and conduct of the proceedings. The Procedural Orders set the hearing on the Mohawk
25 matter for December 13, 2001 at 1:30 p.m., or as soon thereafter as is practical, and the hearing on
26 the Anderson Brothers matter for December 13, 2001 at 2:30 p.m., both at the Commission's offices,
27 1200 West Washington, Phoenix, Arizona. The Procedural Orders also ordered both Mohawk and
28 Anderson Brothers to mail their customers a copy of a notice in a specific form described in the

1 Procedural Orders, with the mailing to be completed on or before November 21, 2001, and to file
2 certification of that mailing as soon as practicable after the mailing is completed.

3 On November 5, 2001, certification of mailed notices to customers was filed in these dockets.
4 The notice was mailed to customers on November 2, 2001, and required customers to provide any
5 claims for refunds of security deposits, service line and meter installations, or main extension
6 agreements on or before October 26, 2001. In addition, the notice mailed on November 2, 2001
7 failed to provide notice that a hearing would be held, or of the hearing date.

8 On November 19, 2001, Staff filed a Motion to Consolidate, stating that the issues in these
9 matters are substantially related and no parties' rights will be prejudiced by consolidation.

10 These matters are substantially related and should be consolidated.

11 Notice of the hearings and the right of customers to intervene or to appear and provide public
12 comment in these matters should be provided to the customers of Mohawk and Anderson Brothers as
13 directed in the November 1, 2001 Procedural Orders.

14 IT IS THEREFORE ORDERED that these matters are hereby consolidated.

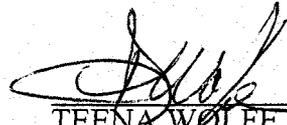
15 IT IS FURTHER ORDERED that the hearing on these consolidated matters shall commence
16 on December 13, 2001, at 2:30 p.m., or as soon thereafter as is practical, at the Commission's
17 Offices, 1200 W. Washington Street, Phoenix, Arizona.

18 IT IS FURTHER ORDERED that Mohawk Water Company and Anderson Brothers Farms,
19 Inc., dba Anderson Brothers Water Company shall file certifications of mailing notice to their
20 customers, in conformance with the requirements of the November 1, 2001 Procedural Orders, no
21 later than November 30, 2001.

22 IT IS FURTHER ORDERED that if, upon receipt of this Procedural Order, notice has not yet
23 been mailed to the customers of Mohawk Water Company and Anderson Brothers Farms, Inc., dba
24 Anderson Brothers Water Company, that Mohawk Water Company and Anderson Brothers Farms,
25 Inc., dba Anderson Brothers Water Company shall cause such notice to be mailed to the customers no
26 later than November 30, 2001, in the form and style provided in the November 1, 2001 Procedural
27 Orders in these matters, except that the time of the hearing in both matters shall be noticed as 2:30
28 p.m.

1 IT IS FURTHER ORDERED all other provisions of the November 1, 2001 Procedural Orders
2 shall remain in effect.

3 DATED this 23rd day of November, 2001.

4
5
6 
TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

7 Copies of the foregoing mailed
8 this 23rd day of November, 2001 to:

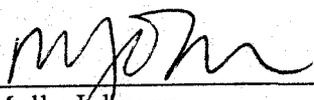
9 Thomas A. McCarville
10 MCCARVILLE COOPER & VASQUEZ PC
11 221 N. Florence Street
12 P.O. Box 15005
13 Casa Grande, Arizona 85230-5005
14 Attorneys for Mohawk Water Company and
15 Anderson Brothers Farms, Inc. dba Anderson Brothers Water Company

16 Copper Mountain Ranch Community Facilities District
17 510 E. Florence Boulevard
18 Casa Grande, Arizona 85222

19 Christopher C. Kempley, Chief Counsel
20 Legal Division
21 ARIZONA CORPORATION COMMISSION
22 1200 West Washington Street
23 Phoenix, Arizona 85007

24 Ernest G. Johnson, Director
25 Utilities Division
26 ARIZONA CORPORATION COMMISSION
27 1200 West Washington Street
28 Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1003

24 By: 
25 Molly Johnson
26 Secretary to Teena Wolfe