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**BEFORE THE ARIZONA CORPORATION COMMISSION**

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COMMISSIONERS

2006 FEB 24 A 11: 23

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  
ARIZONA WATER COMPANY FOR AN  
EXTENSION OF ITS EXISTING CERTIFICATE  
OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-01445A-05-0469

PROCEDURAL ORDER

**BY THE COMMISSION:**

On June 30, 2005, Arizona Water Company ("Arizona Water" or "Company") filed with the Arizona Corporation Commission ("Commission") an Application for an extension of its existing Certificate of Convenience and Necessity ("CC&N") to provide water service in portions of Pinal County, Arizona.

On July 21, 2005, Staff filed an Insufficiency Letter.

On August 30, 2005, Arizona Water filed Additional Information in Response to Staff's Insufficiency Letter.

On September 7, 2005, Staff filed a Letter of Sufficiency.

On September 26, 2005, a Procedural Order was issued setting forth deadlines for filings in this docket. This included the deadline for all motions for intervention, which were to be filed on or before November 4, 2005.

Notice of the application was provided in accordance with the law via publication and mailing on October 5, 2005. Proof of the notice was filed in this docket on October 17, 2005.

On October 26, 2005, Arizona Water filed its Certificate of Filing Franchise for the City of Casa Grande.

On November 2, 2005, Eloy applied for intervention in this matter. Eloy's request for intervention was granted by Procedural Order on November 17, 2005.

On November 9, 2005, Staff filed a Motion for Extension of Time to file its Staff Report until November 17, 2005 and for a similar extension of time for Arizona Water to file its response. This

1 request was granted by Procedural Order on November 10, 2005.

2 On November 10, 2005, Eloy filed its Notice of Filing Direct Testimony of Doug Olson and  
3 Staff filed its Staff Report. Staff recommended approval of the application with conditions.

4 On December 1, 2005, in response to Staff's recommendation in its Staff Report, Arizona  
5 Water filed its Notice of Filing Revised Legal Description. On this same date, Arizona Water also  
6 filed its Responses to the Staff Report and City of Eloy's Testimony.

7 A hearing convened on December 9, 2005, before a duly authorized Administrative Law  
8 Judge of the Commission. Each party appeared with counsel. At hearing, without objection, Arizona  
9 Water orally amended its application to remove Parcel 2, doing so at the request of the landowner of  
10 Parcel 2, and Staff introduced, without objection, Staff's revised recommendations. At the  
11 conclusion of the hearing, the matter was taken under advisement pending docketing of late-filed  
12 exhibits.

13 On January 4, 2006, the City of Eloy filed its Notice of Filing Late Filed Exhibit showing the  
14 current City of Eloy municipal boundary. Staff filed its Notice of Filing Late Filed Exhibit showing  
15 certificated water companies located and operating within Eloy's planned development area.

16 On January 13, 2006, Eloy filed its Response to the Arizona Corporation Commission Staff's  
17 Late Filed Exhibit.

18 On January 25, 2006, Eloy filed its Notice of Filing Late-Filed Exhibit.

19 On February 9, 2006, Palo Verde Utilities Company and Santa Cruz Water Company  
20 ("Global") filed a Motion to Intervene and Exceptions to the Recommended Opinion and Order  
21 ("ROO").

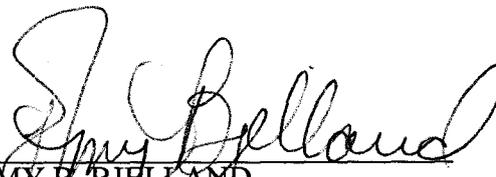
22 On February 13, 2006, Arizona Water filed its objection to Global's motion to intervene.  
23 Arizona Water also filed a response to Global's exceptions to the ROO.

24 In its Motion to Intervene, Global states that it has entered into a Public Private Partnership  
25 (P3) with the cities of Maricopa and Casa Grande that establishes a Global Planning area wherein  
26 Global asserts Casa Grande supports extensions of Global's CC&Ns. However, as Arizona Water  
27 points out in its objection, Global asserts no good cause for its failure to file a motion to intervene in  
28 a timely manner.

1 IT IS THEREFORE ORDERED that Global's motion to intervene is hereby denied.

2 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
3 or waive any portion of this Procedural Order by subsequent Procedural Order.

4 DATED this 24 day of February, 2006

5  
6   
7 AMY B. BJELLAND  
8 ADMINISTRATIVE LAW JUDGE  
9

10 Copies of the foregoing mailed/delivered  
11 this 24 day of February, 2006 to:

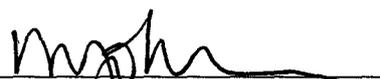
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