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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
LITCHFIELD PARK SERVICE COMPANY FOR
AN INCREASE IN ITS WATER AND
WASTEWATER RATES FOR CUSTOMERS
WITHIN MARICOPA COUNTY, ARIZONA.

DOCKET NO. W-01427A-01-0487
DOCKET NO. WS-01428A-01-0487

RATE CASE
PROCEDURAL ORDER

BY THE COMMISSION:

On June 15, 2001, Litchfield Park Service Company ("LPSCO" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for an increase in its water and wastewater rates and charges.

On July 13, 2001, the Commission's Utilities Division Staff ("Staff") filed its sufficiency letter classifying Applicant as a Class B utility.

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 the hearing in the above-captioned matter shall commence on April 3, 2002, at 10:00 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington, Phoenix, Arizona.

IT IS FURTHER ORDERED that a pre-hearing conference shall be held on March 27, 2002, at 10:00 a.m., at the Commission's Phoenix office, for the purpose of scheduling witnesses and the conduct of the hearing.

IT IS FURTHER ORDERED that the Staff Report and/or any testimony and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before January 15, 2002.

IT IS FURTHER ORDERED that any testimony and associated exhibits to be presented at hearing on behalf of intervenors shall be reduced to writing and filed on or before January 15, 2002.

1 IT IS FURTHER ORDERED that any rebuttal testimony and associated exhibits to be
2 presented at hearing by the Company shall be reduced to writing and filed on or before February 15,
3 2002.

4 IT IS FURTHER ORDERED that any surrebuttal testimony and associated exhibits to be
5 presented by the Staff or intervenors shall be reduced to writing and filed on or before March 8, 2002.

6 IT IS FURTHER ORDERED that any rejoinder testimony and associated exhibits to be
7 presented at the hearing on behalf of the Company shall be reduced to writing and filed on or before
8 March 22, 2002.

9 IT IS FURTHER ORDERED that objections to any testimony or exhibits which have been
10 prefiled as of March 22, 2002, shall be made before or at the March 27, 2002 pre-hearing conference.

11 IT IS FURTHER ORDERED that all testimony filed shall include a table of contents which
12 lists the issues discussed.

13 IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to
14 pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is
15 scheduled to testify.

16 IT IS FURTHER ORDERED that the parties shall prepare a brief, written summary of the
17 pre-filed testimony of each of their witnesses and shall file each summary at least two working days
18 before the witness is scheduled to testify.

19 IT IS FURTHER ORDERED that copies of summaries should be served upon the Presiding
20 Officer, the Commissioners, and the Commissioners' aides as well as the parties of record.

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

23 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
24 regulations of the Commission, except that: until February 15, 2002, any objection to discovery
25 requests shall be made within 7 days¹ of receipt and responses to discovery requests shall be made
26 within 10 days of receipt; thereafter, objections to discovery requests shall be made within 5 days and
27

28 ¹ "Days" means calendar days.

1 responses shall be made in 7 days¹; the response time may be extended by mutual agreement of the
2 parties involved if the request requires an extensive compilation effort; and no discovery requests
3 shall be served after March 27, 2002.

4 IT IS FURTHER ORDERED that, in the alternative to filing a written motion to compel
5 discovery, any party seeking discovery may telephonically contact the Commission's Hearing
6 Division to request a date for a procedural hearing to resolve the discovery dispute; that upon such a
7 request, a procedural hearing will be convened as soon as practicable; and that the party making such
8 a request shall forthwith contact all other parties to advise them of the hearing date and shall at the
9 hearing provide a statement confirming that the other parties were contacted. ²

10 IT IS FURTHER ORDERED that any motions which are filed in this matter and which are
11 not ruled upon by the Commission within 10 days of the filing date of the motion shall be deemed
12 denied.

13 IT IS FURTHER ORDERED that any responses to motions shall be filed within five days of
14 the filing date of the motion.

15 IT IS FURTHER ORDERED that any replies shall be filed within five days of the filing date
16 of the response.

17 IT IS FURTHER ORDERED that the Company shall provide public notice of the hearing in
18 this matter, in the following form and style:

19
20 **PUBLIC NOTICE OF HEARING ON THE**
21 **RATE APPLICATION OF**
LITCHFIELD PARK SERVICE COMPANY

22 On June 15, 2001, Litchfield Park Service Company ("Company") filed an application
23 with the Arizona Corporation Commission for a 52.02 percent increase in water
24 revenues and 39.23 percent increase in sewer revenues. Copies of the Company's
25 application and proposed tariffs are available at its office and the Commission's offices
26 for public inspection during regular business hours.

27 The Commission will hold a hearing on this matter beginning April 3, 2002, at 10:00
28 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.
Public comments will be taken on the first day of the hearing.

² The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations before seeking Commission resolution of the controversy.

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

- 7 1. The name, address, and telephone number of the proposed intervenor
8 and of any party upon whom service of documents is to be made if
9 different than the intervenor.
- 10 2. A short statement of the proposed intervenor's interest in the
11 proceeding (e.g., a customer of the Company, a shareholder of the
12 Company, etc.).
- 13 3. A statement certifying that a copy of the motion to intervene has been
14 mailed to the Company or its counsel and to all parties of record in the
15 case.

16 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
17 that all motions to intervene must be filed on or before November 16, 2001. The
18 granting of intervention, among other things, entitles a party to present sworn evidence
19 at hearing and to cross-examine other witnesses. However, failure to intervene will
20 not preclude any customer from appearing at the hearing and making a statement on
21 such customer's own behalf.

22 The Commission does not discriminate on the basis of disability in admission to its
23 public meetings. Persons with a disability may request a reasonable accommodation
24 such as a sign language interpreter, as well as request this document in an alternative
25 format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-
26 3931, E-mail shood@cc.state.az.us. Requests should be made as early as possible to
27 allow time to arrange the accommodation.

28 IT IS FURTHER ORDERED that the Company shall mail to each of its customers a copy of
the above notice by October 1, 2001.

IT IS FURTHER ORDERED that the Company shall file certification of mailing as soon as
practicable after the mailing has been completed.

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

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized
Communications) applies to this proceeding as the matter is now set for public hearing.

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 27th day of July 2001.

4 
5 _____
6 DWIGHT D. NODES
ADMINISTRATIVE LAW JUDGE

7 Copies of the foregoing mailed
8 this 27th day of July 2001 to:

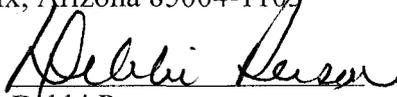
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20 Steve Olea, Acting Director
21 Utilities Division
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1200 W. Washington Street
Phoenix, Arizona 85007

22 ARIZONA REPORTING SERVICE, INC.
23 2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1103

24 By: 
25 Debbi Person
26 Secretary to Dwight D. Nodes
27
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