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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2006 MAR 13 P 3: 28

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
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KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF PERKINS MOUNTAIN UTILITY COMPANY FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY.

DOCKET NO. SW-20379A-05-0489

IN THE MATTER OF THE APPLICATION OF PERKINS MOUNTAIN WATER COMPANY FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-20380A-05-0490

PROCEDURAL ORDER

BY THE COMMISSION:

On July 7, 2005, Perkins Mountain Utility Company ("Perkins Utility") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide potable wastewater to a master-planned community in Mohave County, Arizona.

On July 7, 2005, Perkins Mountain Water Company ("Perkins Water") filed an application with the Commission for a Certificate to provide water to a master-planned community in Mohave County, Arizona.

On July 22, 2005, Perkins Utility and Perkins Water (collectively, "the Utilities") filed a Notice of Filing of Certificate of Good Standing in the above dockets.

On August 8, 2005, the Commission's Utilities Division Staff ("Staff") filed Insufficiency Letters in the above dockets.

On August 25, 2005, Scott Fisher of Sports Entertainment filed a request that Perkins Utility include a portion of Sports Entertainment's parcel in the proposed Certificate area for docket SW-20379A-05-0489.

On August 30, 2005, Perkins Utility and Perkins Water filed responses in the above dockets.

On September 14, 2005, Perkins Utility and Perkins Water filed a Notice of Filing Amended

1 Legal Description for the above dockets.

2 On September 19, 2005, Staff filed its Sufficiency Letters indicating that Perkins Utility and
3 Perkins Water applications have met the sufficiency requirements of A.A.C. R14-2-402C.

4 On September 27, 2005, Sports Entertainment filed an Application to Intervene in Docket No.
5 SW-20379A-05-0489 and Docket No. W-20380A-05-0490.

6 On November 10, 2005, Staff filed its Staff Report.

7 On November 23, 2005, Perkins Utility and Perkins Water filed a Response to Staff's Report.

8 On November 29, 2005, Sports Entertainment was granted intervention for both dockets.

9 On December 5, 2005, a hearing was convened before a duly authorized Administrative Law
10 Judge of the Commission at its offices in Phoenix, Arizona. The Utilities, Sports Entertainment and
11 Staff entered appearances through counsel. Staff made its closing statement. At the conclusion of
12 the hearing, pending docketing of closing briefs by the Utilities and Sports Entertainment, the matter
13 was taken under advisement pending issuance of a Recommended Opinion and Order.

14 On January 6, 2006, the Utilities and Sports Entertainment filed closing briefs in this docket.

15 On February 10, 2006, the Utilities filed an Analysis of Adequate Water Supply issued by the
16 Arizona Department of Water Resources. The filing indicated that legal availability and continuous
17 availability of the water supply were not proven at the time the letter was issued on October 19, 2005.

18 On February 17, 2006, Commissioner Kristin Mayes filed a letter in this docket.

19 On March 6, 2006, a letter from Jan Emming of Yucca, Arizona was filed in this docket. On
20 the same day, the Utilities filed a Motion for Expedited Procedural Conference.

21 On March 7, 2006, the Utilities filed their Notice of Filing Response to Commissioner Mayes'
22 February 17, 2006 Letter.

23 On March 8, 2006, Staff filed its Response to Motion for Expedited Procedural Conference.
24 On the same day, a second letter from Jan Emming of Yucca, Arizona was filed in this docket.

25 IT IS THEREFORE ORDERED that a **procedural conference** shall be scheduled on **March**
26 **17, 2006 at 9:00 a.m.**

27 IT IS FURTHER ORDERED that given the new information that has arisen in this docket, the
28 applicable timeclock under the Commission's rules is extended accordingly for good cause.

1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
2 Communications) applies to this proceeding and shall remain in effect until the Commission's
3 Decision in this matter is final and non-appeable.

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

6 DATED this 13 day of March, 2006

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8 
9 AMY BJELLAND
10 ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed/delivered
12 this 13 day of March, 2006 to:

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By:


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