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BEFORE THE ARIZONA CORPORATION COMMISSION

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

ARIZONA CORPORATION COMMISSION
DOCKETED

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AZ STATE COMMISSION
DOCUMENT CONTROL

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6 IN THE MATTER OF THE APPLICATION OF
CIBOLA MUTUAL WATER COMPANY FOR A
7 CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER SERVICE IN
8 THE DESCRIBED AREA IN LA PAZ COUNTY,
ARIZONA.

DOCKET NO. W-04106A-02-0312

PROCEDURAL ORDER

9 **BY THE COMMISSION:**

10 On April 26, 2002, Cibola Mutual Water Company ("Company" or "Applicant") filed with
11 the Arizona Corporation Commission ("Commission") an application for a Certificate of
12 Convenience and Necessity ("Certificate") to provide public water utility service to various parts of
13 La Paz County, Arizona.

14 On May 16, 2002, pursuant to A.A.C. R14-2-411, Staff issued a notice of administrative
15 sufficiency with respect to the Company's application and the time for the Commission to approve or
16 reject the application is 150 days from the date of notice.

17 On May 23, 2002, pursuant to A.A.C. R14-3-101, the Commission issued a Procedural Order
18 to govern the preparation and conduct of this proceeding, requiring Staff to file its report by July 11,
19 2002 and requiring the Hearing Division to hold a hearing on July 25, 2002.

20 On June 20, 2002, Staff filed what was captioned "Request to Suspend" ("Request") the Time-
21 Frame Rule ("Time-Frame"), A.A.C. R14-2-411(C), in the above-captioned proceeding because Staff
22 had not received certain information due from a data request sent to Applicant on May 20, 2002.
23 When contacted by the presiding Administrative Law Judge and counsel for Staff on July 1, 2002, the
24 Company's interim president, Mr. Dave Grundy, did not object to Staff's Request to suspend the
25 Time-Frame. According to Mr. Grundy, public notice of the application and hearing thereon, has
26 previously been given pursuant to the terms of the Procedural Order.

27 Accordingly, the Time-Frame should be suspended until Staff has received the required
28 Company data and has filed its Staff Report after which a Procedural Order should be issued to restart

1 the Time-Frame and to schedule an evidentiary hearing on the application. The hearing scheduled for
2 July 25, 2002 should be held for purposes of public comment only.

3 IT IS THEREFORE ORDERED that the hearing scheduled to commence on July 25, 2002 at
4 9:00 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington
5 Street, Phoenix, Arizona 85007, shall be for public comment.

6 IT IS FURTHER ORDERED that after the filing of requested Company data, the Staff Report
7 and associated exhibits to be presented at the hearing on behalf of Staff shall be reduced to writing
8 and filed as promptly as possible after which the Time-Frame will be restarted and an evidentiary
9 hearing will be scheduled by Procedural Order.

10 IT IS FURTHER ORDERED that any objections by Cibola Mutual Water Company to the
11 Staff Report and associated exhibits shall be reduced to writing and filed on or before 4:00 p.m. not
12 later than 10 days after the filing of the Staff Report.

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

16 DATED this 3rd day of July, 2002.

17
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19 
20 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed/delivered
22 this 3rd day of July, 2002 to:

23 Dave Grundy, Interim President
24 Cibola Mutual Water Company
RR 2 Box 77
Cibola, AZ 85328

25 Christopher Kempley, Chief Counsel
26 Legal Division
ARIZONA CORPORATION COMMISSION
27 1200 West Washington Street
Phoenix, AZ 85007

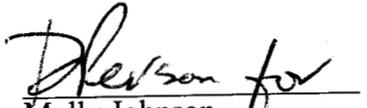
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1 Ernest G. Johnson, Director
2 Utilities Division
3 ARIZONA CORPORATION COMMISSION
4 1200 West Washington Street
5 Phoenix, AZ 85007

6 ARIZONA REPORTING SERVICE, INC.
7 2627 North Third Street
8 Phoenix, AZ 85004-1103

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By:


Molly Johnson
Secretary to Marc E. Stern