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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

DOCKETED

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

MAY 23 2002

2002 MAY 23 P 12:55

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

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

DOCKET NO. W-04106A-02-0312

PROCEDURAL ORDER

13 BY THE COMMISSION:

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

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

21 Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern
22 the preparation and conduct of this proceeding.

23 IT IS THEREFORE ORDERED that a hearing shall commence on July 25, 2002 at 9:00 a.m.,
24 or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street,
25 Phoenix, Arizona 85007.

26 IT IS FURTHER ORDERED that the Staff Report and associated exhibits to be presented at
27 the hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on July 11,
28 2002.

IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits
to be presented at hearing by Cibola Mutual Water Company shall be reduced to writing and filed on
or before 4:00 p.m. on July 18, 2002.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,

1 except that all motions to intervene must be filed on or before July 5, 2002.

2 IT IS FURTHER ORDERED that Cibola Mutual Water Company shall provide public notice
3 of the hearing in this matter, in the following form and style:

4
5 **PUBLIC NOTICE OF THE HEARING FOR CIBOLA**
6 **MUTUAL WATER COMPANY FOR A CERTIFICATE**
7 **OF CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE**
8 **Docket No. W-04106A-02-0312**

9 On April 26, 2002, Cibola Mutual Water Company ("Company") filed an application
10 for a Certificate of Convenience and Necessity to provide water service to various
11 parts of La Paz County, Arizona.

12 The application is available for inspection during regular business hours at the offices
13 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona
14 and at the Company offices, [insert office address].

15 The Commission will hold a hearing on this matter commencing on July 25, 2002, at
16 9:00 a.m. at the Commission's offices, 1200 West Washington Street, Phoenix,
17 Arizona. Public comments will be taken on the first day of the hearing.

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

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

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
that all motions to intervene must be filed on or before July 5, 2002. The granting of
intervention, among other things, entitles a party to present sworn evidence at
hearing and to cross-examine other witnesses. However, failure to intervene will not
preclude any customer from appearing at the hearing and making a statement on
such customer's own behalf.

If you have any questions or concerns about this application or have any objections
to its approval, or wish to make a statement in support of it, you may write the
Consumer Services Section of the Commission at 1200 West Washington Street,
Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make
comment.

1 The Commission does not discriminate on the basis of disability in admission to its
2 public meetings. Persons with a disability may request a reasonable accommodation
3 such as a sign language interpreter, as well as request this document in an alternative
4 format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-
5 3931, E-mail shood@cc.state.az.us. Requests should be made as early as possible to
6 allow time to arrange the accommodation.

7 IT IS FURTHER ORDERED that Cibola Mutual Water Company shall cause the above
8 notice to be published at least once in a newspaper of general circulation in the service territory, with
9 publication to be completed no later than June 25, 2002.

10 IT IS FURTHER ORDERED that Cibola Mutual Water Company shall file certification of
11 publication as soon as practicable after the publication has been completed.

12 IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same,
13 notwithstanding the failure of an individual property owner and/or customer to read or receive the
14 notice.

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

18 DATED this 23rd day of May, 2002.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

19
20 Copies of the foregoing mailed/delivered
21 this 23rd day of May, 2002 to:

22 Bob Corbet
23 Cibola Mutual Water Company
24 RR 2 Box 77
25 Cibola, AZ 85328

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

...

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