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BEFORE THE ARIZONA CORPORATION COMMISSION

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

2002 NOV 18 P 2:33

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

DOCKET NO. W-01445A-02-0198

5 SLV PROPERTIES, L.L.C.,
6
7 COMPLAINANT

NOV 18 2002

8 vs.
9 ARIZONA WATER COMPANY,
10 RESPONDENT.

DOCKETED BY CAR

PROCEDURAL ORDER

BY THE COMMISSION:

11 On March 18, 2002, SLV Properties, L.L.C. ("SLV" or "Complainant") filed with the Arizona
12 Corporation Commission ("Commission") a Complaint against Arizona Water Company ("AWC" or
13 "Respondent") alleging that AWC was in negligent in providing service to the Complainant.

14 On March 28, 2002, Respondent filed an Answer to the allegations of the Complaint.

15 On April 3, 2001, by Procedural Order, a pre-hearing conference was scheduled for April 18,
16 2002.

17 On April 5, 2002, AWC filed a Motion to Continue the pre-hearing. Complainant has no
18 objection to this request.

19 On April 11, 2002, by Procedural Order, the pre-hearing was continued to May 2, 2002.

20 On May 2, 2002, a pre-hearing conference was held with representatives of SLV and the
21 Respondent present. Issues involved in the proceeding were discussed and the parties agreed to
22 attempt to resolve the Complaint. They further agreed to a teleconference on June 4, 2002, to review
23 the Complaint's status.

24 On June 4, 2002, the parties were unable to resolve the Complaint. Prior to a hearing being
25 set, SLV requested time to consult with counsel and agreed to notify the Commission within 30 days
26 as to when it could go forward with its Complaint.

27 On June 5, 2002, by Procedural Order, SLV's request for a 30 day continuance was granted
28

1 and SLV was to contact the presiding Administrative Law Judge to schedule a hearing.

2 On July 8, 2002, SLV filed a request to schedule a hearing to accommodate the business
3 travel schedule of Mr. Saxon, a principal of SLV. It was subsequently indicated that Mr. Saxon was
4 expected to be in Arizona after November 1, 2002.

5 On July 17, 2002, by Procedural Order, the hearing was scheduled on November 13, 2002.

6 On November 12, 2002, SLV requested a brief continuance telephonically due to a scheduled
7 surgery on a family member of a principal in SLV. Respondent did not object to this request.

8 On November 18, 2002, by Procedural Order, the proceeding was continued to December 3,
9 2002.

10 On November 14, 2002, SLV filed an amendment to its Complaint herein, a copy of which is
11 attached to this Procedural Order.

12 Accordingly, the proceeding should also address the amendment filed on November 18, 2002.

13 IT IS THEREFORE ORDERED that the hearing scheduled on December 3, 2002, at 9:30
14 a.m., shall also include the amendment to SLV's Complaint.

15 DATED this 18th day of November, 2002.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

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18
19 Copies of the foregoing mailed/delivered
20 this 18th day of November, 2002.

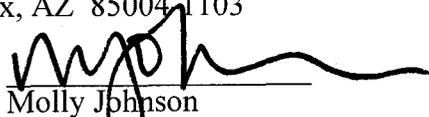
21 Robert W. Geake
22 ARIZONA WATER COMPANY
23 P.O. Box 29006
Phoenix, Arizona 85038-9006

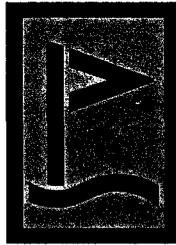
24 Kenneth J. Vegors
25 Ronald Saxon
26 SLV PROPERTIES, LLC
14646 North Kierland Blvd., Ste. 230
Scottsdale, AZ 85254

27 Christopher Kempley, Chief Counsel
28 Legal Division
1200 W. Washington Street
Phoenix, AZ 85007

1 Ernest G. Johnson, Director
2 Utilities Division
3 1200 W. Washington Street
Phoenix, AZ 85007

4 ARIZONA REPORTING SERVICE, INC.
5 2627 North Third Street, Ste. Three
Phoenix, AZ 85004-1103

6 By: 
7 Molly Johnson
8 Secretary to Marc E. Stern
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AZ CORP COMMISSION
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November 14, 2002

The Honorable Marc E. Stern
Administrative Law Judge
The Arizona Corporation Commission
1200 W. Washington Ave.
Phoenix, Arizona 85007

Re: SLV Properties, L.L.C./MountainBrook Golf Club, L.L.C., and Complainant
Vs. Arizona Water Company, Respondent

Dear Sir:

This letter is to inform the Arizona Corporation that SLV Properties, L.L.C. / MountainBrook Golf Club, L.L.C. received an invoice from Arizona Water Company dated September 23, 2002 pertaining to replacement of the electrical flow meter owned by Arizona Water Company, located on MountainBrook Golf Club property.

This is the second occurrence of the water meter requiring replacement due to electrical storm damage. The date of the labor and material replacement is September 3, 2002 in the amount of \$890.66 plus the 10% overhead and sales tax assessed by Arizona Water Company for an invoice total of \$1,046.47. I have enclosed a copy of the invoice for your records.

The invoice expense and the attendant circumstances should be included in Docket No. W-01445A-02-0198 hearing to be held before the Arizona Corporation Commission on Tuesday, December 3, 2002. Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth J. Vegors".

Kenneth J. Vegors
Member/Manager

cc: Ronald Saxon, SLV Properties, L.L.C.
R. Steve Loy, SLV Properties, L.L.C.

ARIZONA WATER COMPANY

P.O. Box 29006
Phoenix, AZ 85038-9006
(602) 240-6860

Bill to: Mr. Ken Vegors
Mountain Brook Golf Club
14646 N Kierland #230
Scottsdale, AZ 85254

Invoice: 92302
Date: September 23, 2002
Terms: Due Upon Receipt
Payable To: Arizona Water Company

Technical services performed on September 3, 2002 by Pump, Valve & Control Service, Inc on CAP water meter for the golf course. (See enclosed contractor's invoice)

Meter repairs	\$890.66
10% overhead	\$89.07
Sub Total	<u>\$979.73</u>
Sales Tax 6.813%	66.75
Total Amount Now Due	<u>\$1,046.47</u>

Please make your check payable to Arizona Water Company and remit to:
David Kupres, Arizona Water Company P.O. Box 29006 Phoenix, AZ 85038-9006

Pump, Valve & Control Service, Inc.

P.O. Box 18843

Fountain Hills, AZ 85269-8843

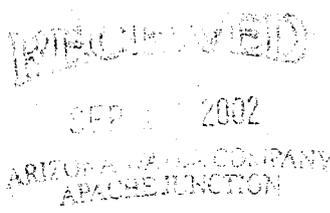
INVOICE

DATE	INVOICE #
9/16/2002	1286

BILL TO
Arizona Water Company P.O. Box 400 Apache Junction, AZ 85217

SHIP TO
Gold Canyon Flow Meeters #5 - Mt. Brook Golf Course

P.O. NO.	JOB NAME
Verbal/Judd	

ITEM	DESCRIPTION	AMOUNT
Labor	Tue. 9/3 Checked Flow Meeter for no display. 4 hr. Found front panel burned out from electrical storm, Rerplaced Front Panel Display as required.	280.00
Materials	1 - Repair burned out Front Panel Display.	550.00T
Freight	UPS shipping.	17.21
		
	Sales Tax	43.45
Thank you for your business.		Total \$890.66

