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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

DOCKETED

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APR 05 2002

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF ST.
DAVID WATER ASSOCIATE FOR A
PERMANENT RATE INCREASE.

DOCKET NO. W-02084A-01-0389

IN THE MATTER OF THE APPLICATION OF ST.
DAVID WATER ASSOCIATION FOR
FINANCING APPROVAL.

DOCKET NO. W-02084A-01-0636

PROCEDURAL ORDER

BY THE COMMISSION:

On March 21, 2002, St. David Water Association ("Company") requested an additional 60 day continuance of the April 11, 2002 hearing in this matter. The Company reports that the Cochise County Board of Supervisors approved the creation of the St. David Water Improvement District, but that additional time was required for a mandated 30-day waiting period and to transfer the assets.¹ Staff does not oppose the request.

It appears that the necessary steps for creating a Water Improvement District are underway. Thus, unless the final stages of creating the District fail to materialize, a hearing on the subject rate case and finance request will not be required. Because the financial viability of the Company if it is not converted to a Water Improvement District may be questionable without a rate case, it is not prudent to dismiss the rate application until the Commission receives definitive word that the creation of the District is a certainty. Consequently, we will vacate the April 11, 2002 hearing, but keep the docket open until we receive an application from the Company requesting approval of the transfer of the Company's assets to the District and cancellation of its Certificate of Convenience and Necessity or notice that the District will not be formed and the rate case should proceed. If the creation of the District does not materialize, either the Company or Staff may file a request that the matter be set for

¹ We remind the Company that they must seek Arizona Corporation Commission approval for the transfer of assets to the District and cancellation of its Certificate of Convenience and Necessity.

1 hearing.

2 IT IS THEREFORE ORDERED that the hearing currently set for April 11, 2002, shall be
3 vacated.

4 IT IS FURTHER ORDERED that the Company shall file a written update on the progress of
5 the District's creation by May 31, 2002.

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

8 DATED this 4th day of April, 2002.

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JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

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Copies of the foregoing mailed/delivered
this 4th day of April, 2002 to:

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Reg Garavito, Board President
Fred Kartchner, Operations Manager
St. David Water Association
112 W. Patton Street
St. David, AZ 85630

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

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Ernest G. Johnson, Director
Utilities Division
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1200 West Washington Street
Phoenix, Arizona 85007

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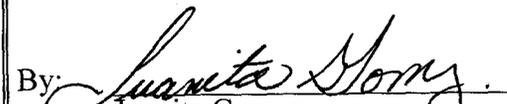
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ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

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By: 
Juanita Gomez
Secretary to Jane L. Rodda

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