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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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2006 MAY 11 A 9:58
AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
GREEN ACRES WATER, L.L.C. FOR APPROVAL
OF A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER SERVICE.

DOCKET NO. W-20430A-05-0839

IN THE MATTER OF THE APPLICATION OF
GREEN ACRES SEWER, L.L.C. FOR APPROVAL
OF A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE SEWER SERVICE.

DOCKET NO. SW-20431A-05-0840

PROCEDURAL ORDER

BY THE COMMISSION:

On November 15, 2005, Green Acres Water, L.L.C. ("GAW") and Green Acres Sewer, L.L.C. ("GAS") (collectively "Applicants") each filed an application with the Arizona Corporation Commission ("Commission") for a Certificate of Convenience and Necessity ("Certificate") to provide public water and wastewater utility service, respectively, to various parts of Maricopa County, Arizona..

On December 9, 2005, the Commission's Utilities Division ("Staff") issued a notice of insufficiency which indicated that GAW's and GAS' applications had not met the sufficiency requirements of A.A.C. R14-2-411(C) and A.A.C. R14-2-610(C).

On March 1, 2006, Staff filed a Motion to Consolidate ("Motion") the above-referenced matters which are substantially related without objection by Applicants.

On March 2, 2006, by Procedural Order, the proceedings were consolidated.

On May 8, 2006, Staff issued a letter of administrative completeness to GAW and GAS.

In accordance with A.R.S. § 41-1074(A), the applications herein are deemed administratively complete.

Pursuant to A.A.C. R14-3-101 and A.A.C. R14-3-109, the Commission now issues this Procedural Order to govern the preparation and conduct of these proceedings.

1 IT IS THEREFORE ORDERED that a **hearing** shall commence on **July 11, 2006, at 9:30**
2 **a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street,
3 Phoenix, Arizona 85007.

4 IT IS FURTHER ORDERED that the Staff Report and associated exhibits to be presented at
5 hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on June 12,
6 2006.

7 IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits
8 to be presented at hearing by Applicants shall be reduced to writing and filed on or before 4:00 p.m.
9 on June 22, 2006.

10 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
11 except that all motions to intervene must be filed on or before June 23, 2006.

12 IT IS FURTHER ORDERED that GAW and GAS shall **each** provide public notice of the
13 hearing in this matter, in the following form and style:¹

14 **PUBLIC NOTICE OF THE HEARING FOR [INSERT COMPANY NAME] FOR A**
15 **CERTIFICATE OF CONVENIENCE AND NECESSITY**
16 **[INSERT DOCKET NUMBER]**

17 On November 15, 2006, Green Acres Water, L.L.C. ("GAW") and Green Acres
18 Sewer, L.L.C. ("GAS") each filed an application for a Certificate of Convenience and
19 Necessity to provide public water and wastewater utility service, respectively, to
20 various parts of Maricopa County, Arizona.

21 The application is available for inspection during regular business hours at the offices
22 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona
23 and at the Applicant's office, [insert office address] and on the internet via the
24 Commission website (www.azcc.gov) using the e-docket function.

25 The Commission will hold a hearing on this matter commencing on **July 11, 2006,**
26 **at 9:30 a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix,
27 Arizona. Public comments will be taken on the first day of the hearing.

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

¹ The Applicants are responsible for inserting the appropriate company name and applicable Docket No. in the specimen public notice above.

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

6 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
7 that all motions to intervene must be filed on or before June 23, 2006. The granting
8 of intervention, among other things, entitles a party to present sworn evidence at
9 hearing and to cross-examine other witnesses. However, failure to intervene will not
10 preclude any customer from appearing at the hearing and making a statement on
11 such customer's own behalf.

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

12 The Commission does not discriminate on the basis of disability in admission to its
13 public meetings. Persons with a disability may request a reasonable accommodation
14 such as a sign language interpreter, as well as request this document in an alternative
15 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-
16 3931, E-mail LHogan@azcc.gov. Requests should be made as early as possible to
17 allow time to arrange the accommodation.

16 IT IS FURTHER ORDERED that Green Acres Water, L.L.C. and Green Acres Sewer, L.L.C.
17 shall **each** cause the above notice to be published at least once in a newspaper of general circulation
18 in its service territory, with publication to be completed no later than June 2, 2006.

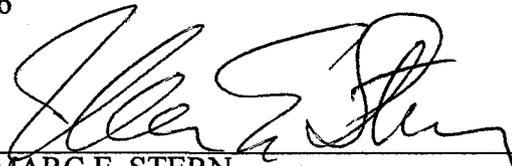
19 IT IS FURTHER ORDERED that Green Acres Water, L.L.C. and Green Acres Sewer, L.L.C.
20 shall **each** file certification of publication as soon as practicable after the publication has been
21 completed.

22 IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same,
23 notwithstanding the failure of an individual or entity to read or receive the notice.

24 ...
25 ...
26 ...
27 ...
28 ...

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

4 Dated this 11th day of May, 2006

5 
6 _____
7 MARC E. STERN
8 ADMINISTRATIVE LAW JUDGE

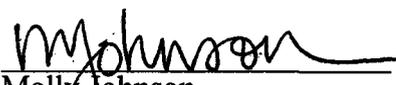
8 Copies of the foregoing mailed/delivered
9 this 11 day of May, 2006 to:

10 Beth A. Heath
11 TIFFANY & BOSCO
12 2525 East Camelback Road, Third Floor
13 Phoenix, AZ 85016

14 Christopher Kempley, Chief Counsel
15 Legal Division
16 ARIZONA CORPORATION COMMISSION
17 1200 West Washington Street
18 Phoenix, AZ 85007

19 Ernest G. Johnson, Director
20 Utilities Division
21 ARIZONA CORPORATION COMMISSION
22 1200 West Washington
23 Phoenix, AZ 85007

24 ARIZONA REPORTING SERVICE, INC.
25 2627 N. Third Street, Ste. Three
26 Phoenix, Arizona 85004-1126

27 By: 
28 Molly Johnson
Secretary to Marc E. Stern