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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
BEAVER VALLEY WATER COMPANY FOR  
APPROVAL OF THE SALE OF ITS ASSETS FOR  
THE TRANSFER OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO MICHAEL  
DAVOREN.

DOCKET NO. W-02015A-03-0724

PROCEDURAL ORDER

**BY THE COMMISSION:**

On October 1, 2003, Beaver Valley Water Company ("BVWC") filed with the Arizona Corporation Commission ("Commission") an application for approval of the sale of its assets and the transfer of its Certificate of Convenience and Necessity ("Certificate") to Mr. Michael Davoren.

On August 17, 2005, in Decision No. 68083, the Commission conditionally granted the sale of assets and the Certificate, subject to conditions.

On April 13, 2006, the Commission's Utilities Division ("Staff") opened a new docket (W-02015A-06-0223) and filed a Complaint and Order to Show Cause against BVWC citing failure to comply with Commission Decision Nos. 66388, 68083 and Arizona Administrative Code ("A.A.C.") R14-2-411(D) (4).

On April 21, 2006, Mr. Michael Davoren filed an Answer to the Complaint and Order to Show Cause.

On May 3, 2006, the matter was presented at the Commission's Open Meeting. At the request of Staff, the Commission granted the parties an additional three weeks time or until the May 31, 2006 Open Meeting, to settle the matter.

On May 25, 2006, during the regularly scheduled Open Meeting and after discussions with the parties and a representative from Arizona Department of Environmental Quality ("ADEQ"), the Commission decided to reopen the record in this matter, pursuant to A.R.S. § 40-252 and directed the hearing division to conduct any proceedings necessary to resolve the outstanding issues in this

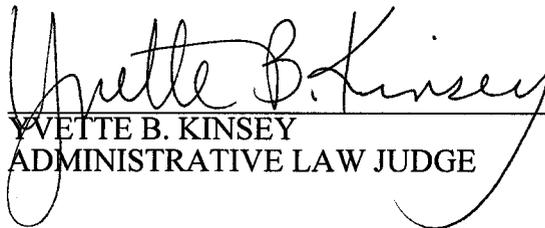
1 matter.

2 On June 8, 2006, by Procedural Order, Staff was ordered to file a procedural recommendation  
3 regarding the outstanding issues.

4 IT IS THEREFORE ORDERED that a **procedural conference** shall be scheduled for **June**  
5 **29, 2006, at 10:00 a.m.** at the Commission's offices, 1200 West Washington, Phoenix, Arizona.

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 15<sup>th</sup> day of June, 2006

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11   
12 YVETTE B. KINSEY  
ADMINISTRATIVE LAW JUDGE

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