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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2006 JUN 16 P 12:37

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

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
WORDEN WATER COMPANY FOR TRANSFER  
OF ITS CERTIFICATE OF CONVENIENCE AND  
NECESSITY.

DOCKET NO. W-02221A-05-0505  
DOCKET NO. W-20391A-05-0505

PROCEDURAL ORDER

**BY THE COMMISSION:**

By Procedural Order dated May 10, 1006, the above-captioned matter was set for earring on July 7, 2006.

On May 26, 2006, the Worden Water Company ("Worden" or "Company") filed with the Arizona Corporation Commission ("Commission") a Motion to Extend Hearing Date because the applicants, Janice and Lawrence Worden, would be out of the state until September. The Wordens agreed to waive the time clock for this matter. Staff does not object to the request.

The purpose of the application is to transfer the Certificate of Convenience and Necessity ("CCN") from Mr. Arthur O. Worden (deceased) to his children, Janice E. Worden and Lawrence A. Worden dba Worden Water Company. The Commission may consider this matter without a hearing if no hearing is requested by the parties. Accordingly, this Procedural Order establishes the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the procedural schedule established in the May 10, 2006 Procedural Order is suspended and the hearing set for July 7, 2006 is vacated.

IT IS FURTHER ORDERED that good cause exists to suspend the time clock established by A.A.C. R14-2-103.

IT IS THEREFORE ORDERED that Staff shall file its **Staff Report**, including its recommendation of whether a hearing is required, by **August 31, 2006**.

1 IT IS FURTHER ORDERED that the Company shall file its **comments**, if any, to the Staff  
2 Report by **September 15, 2006**.

3 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,  
4 except that all motions to intervene and requests for hearing must be filed on or before September 15,  
5 2006.

6 IT IS FURTHER ORDERED that Applicant shall serve public notice of the hearing in this  
7 matter, in the following form, type size and style:

8 **PUBLIC NOTICE OF APPLICATION BY**  
9 **WORDEN WATER COMPANY FOR APPROVAL TO TRANSFER**  
10 **ITS CERTIFICATE OF CONVENIENCE AND NECESSITY**  
11 **DOCKET NOS. W-02221A-05-0505 &**  
12 **W-20391A-05-505**

13 On July 15, 2005, Worden Water Company (Company”) filed an application  
14 with the Arizona Corporation Commission (“Commission”) for approval to transfer its  
15 Certificate of Convenience and Necessity (“Certificate”), from Arthur O. Worden  
16 (deceased) to his children Janice E. Worden and Lawrence A. Worden  
17 (“Transferees”). If the application is granted the Transferees would be the exclusive  
18 provider of water service within the Company’s service area, and would be required to  
19 provide service on the terms and conditions as established by the Commission. The  
20 Commission may consider the application without a hearing, unless a hearing is  
21 requested by a party to the proceeding.

22 The application is available for inspection during regular business hours at the offices  
23 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona,  
24 and in Tucson, at 400 West Congress St. Suite 218, Tucson, Arizona and at the  
25 offices of the Applicant, [APPLICANT INSERT ADDRESS]. The application is  
26 also available on the Commission’s website, [www.azcc.gov](http://www.azcc.gov), using the e-Docket link.

27 As a property owner or customer you may have the right to intervene in the  
28 proceeding and request a hearing. If you do not want to intervene, you may file a  
statement on your own behalf. 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 notice to intervene with the Commission,  
which motion should be sent to the Applicants or their counsel and to all parties of  
record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor  
and of any party upon whom service of documents is to be made if  
different than the intervenor.
2. A short statement of the proposed intervenors interest in the proceeding  
(e.g., a customer of the Applicants, a shareholder or member of the  
Applicants, etc.)

1 3. A statement certifying that a copy of the motion to intervene has been  
2 mailed to the Company or its counsel and to all parties of record in the  
3 case.

4 The granting of motions to intervene shall be governed by A.A.C. R14-3-105,  
5 except that all motions to intervene must be filed on or before September 15, 2006.  
6 In the event Intervenors wish to request a hearing, such request shall be made no later  
7 than September 15, 2006. The granting of intervention, among other things, entitles a  
8 party to present sworn evidence at hearing and to cross-examine other witnesses.  
9 However failure to intervene will not preclude any customer from making a statement  
10 on such customer's own behalf. However, you will not receive any further notice of  
11 the proceeding unless requested by you.

12 If you have any questions or concerns about this application or have any  
13 objections to its approval, wish to intervene and request a hearing, or wish to make a  
14 statement in support of it, mail them to:

15 The Arizona Corporation Commission  
16 Attention Docket Control  
17 Re: Worden Water Company  
18 W-02221A-05-0505 & W-20391A-05-0505  
19 1200 West Washington Street  
20 Phoenix, Arizona 85007

21 If you have any questions about the application, or want information on intervention  
22 you may contact the Consumer Services Section of the Commission at 1200 West  
23 Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

24 The Commission does not discriminate on the basis of disability in admission to its  
25 public meetings. Persons with a disability may request a reasonable accommodation  
26 such as a sign language interpreter, as well as request this document in an alternative  
27 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-  
28 3931, E-mail lhogan@azcc.gov. Requests should be made as early as possible to allow  
time to arrange the accommodation.

IT IS FURTHER ORDERED that Company shall mail to its customers a copy of this notice  
by first-class U.S. Mail, to begin as soon as possible and to be completed on or before **July 28, 2006**.

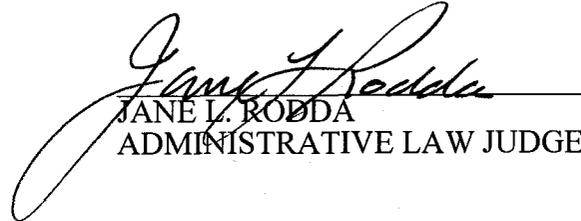
IT IS FURTHER ORDERED that Company shall file certifications of mailing as soon as  
practicable after the mailing has been completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing,  
notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
Communications) continues to apply to this proceeding.

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

3 DATED this 15<sup>th</sup> day of June, 2006.

4  
5   
6 JANE L. RODDA  
ADMINISTRATIVE LAW JUDGE

7 Copies of the foregoing mailed  
8 this 15<sup>th</sup> day of June, 2006 to:

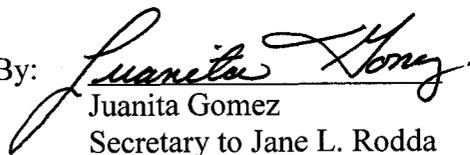
9 Michael F. McNulty  
10 Lewis and Roca  
11 One South Church Avenue  
12 Suite 700  
13 Tucson, Arizona 85701-1611  
14 Attorneys for Applicant

15 Worden Water Company  
16 15150 West Ajo, #568  
17 Tucson, Arizona 85735

18 Mr. Christopher Kempley, Chief Counsel  
19 Legal Division  
20 ARIZONA CORPORATION COMMISSION  
21 1200 West Washington Street  
22 Phoenix, Arizona 85007

23 Mr. Ernest Johnson, Director  
24 Utilities Division  
25 ARIZONA CORPORATION COMMISSION  
26 1200 West Washington Street  
27 Phoenix, Arizona 85007

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

By:   
Juanita Gomez  
Secretary to Jane L. Rodda