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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

MARC SPITZER, Chairman
JIM IRVIN
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

DOCKETED BY *CM*

IN THE MATTER OF THE APPLICATION OF
ROCKY LAKE WATER COMPANY FOR
APPROVAL OF THE SALE OF ITS ASSETS AND
FOR THE CANCELLATION OF ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-01498A-03-0353

PROCEDURAL ORDER

BY THE COMMISSION:

On May 30, 2003, Rocky Lake Water Company ("Company" or "Applicant"), filed an application with the Arizona Corporation Commission ("Commission:") for approval of the sale of its assets and for the cancellation of its Certificate of Convenience and Necessity ("Certificate") to provide public water service to various parts of Pinal County, Arizona.

Pursuant to A.R.S. § 41-1074(C), the application herein is deemed administratively complete.

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

IT IS THEREFORE ORDERED that a hearing shall commence on September 4, 2003, at 9:30 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the Staff Report and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on August 13, 2003.

IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits to be presented at hearing by Applicant shall be reduced to writing and filed on or before 4:00 p.m. on August 20, 2003.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before August 15, 2003.

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2 IT IS FURTHER ORDERED that Applicant shall provide public notice of the hearing in this
3 matter, in the following form and style:

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5 **PUBLIC NOTICE OF THE HEARING FOR ROCKY LAKE**
6 **WATER COMPANY FOR APPROVAL OF THE SALE OF ITS ASSETS**
7 **AND CANCELLATION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY**
8 **Docket No. W-01489A-03-0353**

9 On May 30, 2003, Rocky Lake Water Company ("Applicant") filed an application for
10 approval fo the sale of its assets and cancellation of its CC&N to various parts of
11 Pinal County, Arizona.

12 The application is available for inspection during regular business hours at the offices
13 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona
14 and at the Applicant's office, [insert office address].

15 The Commission will hold a hearing on this matter commencing on September 4,
16 2003, at 9:30 a.m. at the Commission's offices, 1200 West Washington Street,
17 Phoenix, Arizona. Public comments will be taken on the first day of the hearing.

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

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

31 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
32 that all motions to intervene must be filed on or before August 15, 2003. The
33 granting of intervention, among other things, entitles a party to present sworn
34 evidence at hearing and to cross-examine other witnesses. However, failure to
35 intervene will not preclude any customer from appearing at the hearing and making a
36 statement on such customer's own behalf.

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

42 The Commission does not discriminate on the basis of disability in admission to its

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public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-3931, E-mail shood@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Applicant shall cause the above notice to be mailed to its customers and published at least once in a newspaper of general circulation in its service territory, with mailing and publication to be completed no later than August 1, 2003.

IT IS FURTHER ORDERED that Applicant shall file certification of mailing and publication as soon as practicable after the mailing and publication has been completed.

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

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

DATED this 2nd day of July, 2003.



MARC E. STERN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 2nd day of July, 2003 to:

Charles Hultstrand
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Attorney for Rocky Lake Water Company

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1 Christopher Kempley, Chief Counsel
Legal Division
2 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
3 Phoenix, Arizona 85007

4 Ernest Johnson, Director
Utilities Division
5 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
6 Phoenix, Arizona 85007

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

9

10 By:


Molly Johnson
Secretary to Marc Stern

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