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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MIKE GLEASON  
KRISTIN K. MAYES  
BARRY WONG

IN THE MATTER OF THE APPLICATION OF  
PICACHO WATER COMPANY FOR AN  
EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY.

DOCKET NO. W-03528A-06-0313

IN THE MATTER OF THE APPLICATION OF  
PICACHO SEWER COMPANY FOR APPROVAL  
TO EXTEND ITS SEWER CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
ADDITIONAL PORTIONS OF ROBSON RANCH  
AND EJR RANCH IN PINAL COUNTY.

DOCKET NO. SW-03709A-06-0314

PROCEDURAL ORDER

**BY THE COMMISSION:**

On May 4, 2006, Picacho Water Company ("PWC") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate" or "CC&N") in the City of Eloy. On the same date, Picacho Sewer Company ("PSC") filed an application for extension of its Certificate to additional portions of Robson Ranch and EJR Ranch in Pinal County.

On July 13, 2006, the Commission's Utilities Division ("Staff") filed a Sufficiency Letter for PWC indicating that the Applicant's application had met the sufficiency requirements.

On July 20, 2006, Staff filed a Sufficiency Letter for PSC indicating that Applicant's application had met the sufficient requirements.

On July 18, 2006, by Procedural Order, a hearing was scheduled for September 14, 2006, for PWC.

On July 26, 2006, by Procedural Order, a hearing was scheduled for October 6, 2006, for PSC.

On August 2, 2006, Staff filed a Motion to Consolidate the above-referenced matters indicating that the issues are substantially related and no parties' rights will be prejudiced by the

1 consolidation.

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

4 IT IS THEREFORE ORDERED that Staff's Motion to Consolidate is hereby granted.

5 IT IS FURTHER ORDERED that the **hearing** on the consolidated matters shall be held on  
6 **October 6, 2006, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices,  
7 1200 West Washington Street, Phoenix, Arizona 85007.

8 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-  
9 105, except that all Motions to Intervene must be filed on or before **September 15, 2006**.

10 IT IS FURTHER ORDERED that **objections to any Motions to Intervene** must be filed no  
11 later than **September 22, 2006**.

12 IT IS FURTHER ORDERED that PWC and PSC shall provide public notices of the hearing  
13 in this matter, in the following form and style, with the heading no less than 10 point bold type and  
14 the body no less than 10 point regular type:

15 **PUBLIC NOTICE OF THE HEARING FOR THE APPLICATION OF PICACHO WATER**  
16 **COMPANY FOR AN EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND**  
17 **NECESSITY AND FOR THE APPLICATION OF PICACHO SEWER COMPANY FOR**  
18 **APPROVAL TO EXTEND ITS SEWER CERTIFICATE**  
19 **OF CONVENIENCE AND NECESSITY TO ADDITIONAL PORTIONS OF**  
20 **ROBSON RANCH AND EJR RANCH IN PINAL COUNTY.**

21 **Docket No. W-03528A-06-0313 and SW-03709A-06-0314**

22 On May 4, 2006, Picacho Water Company ("PWC") filed with the Arizona  
23 Corporation Commission ("Commission") an application for an extension of its  
24 Certificate of Convenience and Necessity ("Certificate"). Also on May 4, 2006,  
25 Picacho Sewer Company ("PSC") filed an application with the Commission for an  
26 extension of its Certificate to include additional portions of Robson Ranch and EJR  
27 Ranch in Pinal County. If the applications are granted, the Applicants would be the  
28 exclusive providers of water and wastewater service to the proposed extension areas  
and would be required by the Commission to provide service under rates and charges  
and terms and conditions established by the Commission. The applications, report of  
the Commission's Utilities Division Staff, and any written exceptions to the Staff  
Report prepared by the applicant will be available for inspection during regular  
business hours at the offices of the Commission located at 1200 West Washington  
Street, Phoenix, Arizona 85007, and at offices of the Applicant, [address] and on the  
internet via the Commission website ([www.azcc.gov](http://www.azcc.gov)) using the e-docket function.

The Commission will hold a public hearing on these matters on **October 6, 2006 at 10:00 a.m.** at the Commission's offices, at 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

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

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

10 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
11 that all Motions to Intervene must be filed on or before September 15, 2006. The  
12 granting of intervention, among other things, entitles a party to present sworn evidence  
13 at the hearing and to cross-examine other witnesses. Failure to intervene will not  
14 preclude any interested person or entity from appearing at the hearing and making a  
15 statement on their own behalf. You will not, however, receive any further notice of  
the proceeding unless requested by you. Please check with the Commission for any  
changes to the scheduled hearing date.

16 If you have any comments, mail them to:

17 The Arizona Corporation Commission  
18 Attention Docket Control  
19 re: Picacho Water Company and Picacho Sewer Company  
20 W-03528A-06-0313 and SW-03709A-06-0314  
21 1200 West Washington Street  
22 Phoenix, Arizona 85007

23 If you have any questions about these applications, you may contact the application at  
24 **[insert telephone number]**. If you wish to file written comments on the applications  
25 or want further information on intervention, you may contact the Consumer Services  
26 Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007  
27 or call 1-800-222-7000.

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

IT IS FURTHER ORDERED that Applicants shall **mail to each property owner or**  
**property owner representative** in the requested extension area a copy of the above notice and shall  
cause the above notice to be published in a newspaper of general circulation in its service territory,

1 with publication and mailing to be completed no later than **September 1, 2006.**

2 IT IS FURTHER ORDERED that Applicants shall **file certification of mailing and**  
3 **publication** as soon as practicable after the mailing/publication has been completed, but not later  
4 than **September 15, 2006.**

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

8 IT IS FURTHER ORDERED that Staff shall file a **Staff Report on or before September 1,**  
9 **2006.**

10 IT IS FURTHER ORDERED that any **objections to the Staff Report shall be filed on or**  
11 **before September 11, 2006.**

12 IT IS FURTHER ORDERED that all other hearing dates and procedural deadlines set  
13 forth in the Procedural Order issued July 18, 2006 in Docket No. W-03528A-06-0313 are  
14 vacated.

15 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized  
16 Communications) applies to this proceeding as the matter is now set for public hearing.

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

20 Dated this 17 day of August, 2006

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YVETTE B. KINSEY  
ADMINISTRATIVE LAW JUDGE

25 Copies of the foregoing mailed/delivered  
this 17 day of August, 2006 to:

26

Jim Poulos  
9532 E. Riggs Road  
Sun Lakes, AZ 85248

27

28 ...

1 Christopher Kempley, Chief Counsel  
2 Legal Division  
3 ARIZONA CORPORATION COMMISSION  
4 1200 West Washington Street  
5 Phoenix, AZ 85007

6 Ernest G. Johnson, Director  
7 Utilities Division  
8 ARIZONA CORPORATION COMMISSION  
9 1200 West Washington  
10 Phoenix, AZ 85007

11 ARIZONA REPORTING SERVICE, INC.  
12 2627 N. Third Street, Ste. Three  
13 Phoenix, Arizona 85004-1126

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By:   
Molly Johnson  
Secretary to Yvette B. Kinsey