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BEFORE THE ARIZONA CORPORATION COMMISSION

25H

COMMISSIONERS

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

2006 JUL 18 P 3: 16

AZ CORP COMMISSION
DOCUMENT CONTROL

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

PROCEDURAL ORDER

BY THE COMMISSION:

On May 4, 2006, Picacho Water Company ("Picacho" or "Applicant") 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 July 13, 2006, the Commission's Utilities Division ("Staff") filed a Sufficiency Letter in this docket indicating that the Applicant's application has met the sufficiency requirements as outlined in the Arizona Administrative Code.

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 the **hearing** shall be held on **September 14, 2006, at 10:00 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 **intervention** shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **September 1, 2006**.

IT IS FURTHER ORDERED that **objections to any motions to intervene** must be filed no later than **September 11, 2006**.

...
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...
...

Arizona Corporation Commission

DOCKETED

JUL 18 2006

DOCKETED BY NR

1 IT IS FURTHER ORDERED that Picacho shall provide public notice of the hearing in this
 2 matter, in the following form and style, with the heading no less than 10 point bold type and the body
 3 no less than 10 point regular type:

4 **PUBLIC NOTICE OF THE HEARING FOR THE APPLICATION OF**
 5 **PICACHO WATER COMPANY FOR AN EXTENSION OF ITS**
 6 **CERTIFICATE OF CONVENIENCE AND NECESSITY**

7 **Docket No. W-03528A-06-0313**

8 On May 4, 2006, Picacho Water Company ("Picacho" or "Applicant") filed with the
 9 Arizona Corporation Commission ("Commission") an application for an extension of
 10 its Certificate of Convenience and Necessity ("Certificate") to provide water service
 11 in the City of Eloy. If the application is granted, the Applicant would be the exclusive
 12 provider of water service to the proposed extension area and would be required by the
 13 Commission to provide service under rates and charges and terms and conditions
 established by the Commission. The application, report of the Commission's Utilities
 Division Staff, and any written exceptions to the staff report prepared by the
 Applicant is 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 Company, [insert address] and on the internet via the
 Commission website (www.azcc.gov) using the e-docket function.

14 The Commission will hold a public hearing on this matter on **September 14, 2006, at**
 15 **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.

16 The law provides for an open public hearing at which, under appropriate
 17 circumstances, interested parties may intervene in the proceedings and participate as a
 18 party. Intervention shall be permitted to any person entitled by law to intervene and
 19 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 Company or its counsel and to all parties of record, and which at the minimum,
 shall contain the following:

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

25 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
 26 that all motions to intervene must be filed on or before September 1, 2006. The
 27 granting of intervention, among other things, entitles a party to present sworn evidence
 at the hearing and to cross-examine other witnesses. Failure to intervene will not
 28 preclude any interested person or entity from appearing at the hearing and making a
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.

1 If you have any comments, mail them to:

2 The Arizona Corporation Commission
3 Attention Docket Control
4 re: Picacho Water Company
5 W-03528A-06-0313
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8 If you have any questions about this application, you may contact the Applicant at
9 **[insert telephone number]**. If you wish to file comments on the application or want
10 further information on intervention, you may contact the Consumer Services Section
11 of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call
12 1-800-222-7000.

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

19 IT IS FURTHER ORDERED that Applicant shall **mail to each property owner or property**
20 **owner representative** in the requested extension area a copy of the above notice and shall **cause the**
21 **above notice to be published** in a newspaper of general circulation in its service territory, with
22 publication and mailing to be completed no later than **August 14, 2006**.

23 IT IS FURTHER ORDERED that Applicant shall **file certification of mailing and**
24 **publication** as soon as practicable after the mailing/publication has been completed, but not later
25 than **August 31, 2006**.

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

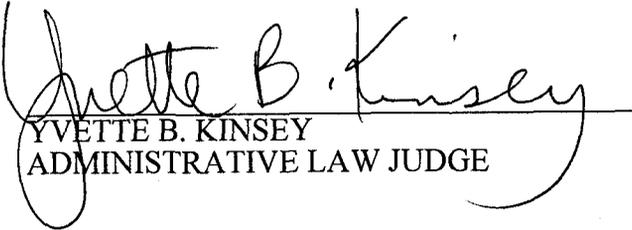
IT IS FURTHER ORDERED that Staff shall file a **Staff Report on or before August 25,**
2006.

IT IS FURTHER ORDERED that any **objections to the Staff Report shall be filed on or**
before September 8, 2006.

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

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 18th day of July, 2006

5
6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE

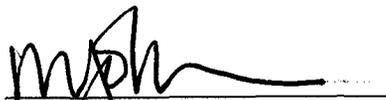
9 Copies of the foregoing mailed/delivered
10 this 18 day of July, 2006 to:

11 Jim Poulos
12 9532 E. Riggs Road
13 Sun Lakes, AZ 85248

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 85004-1104

27 By: 
28 Molly Johnson
Secretary to Yvette B. Kinsey