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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2006 AUG 31 A 9:25

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

AZ CORP COMMISSION
DOCUMENT CONTROL

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

DOCKET NO. W-03067A-06-0117

PROCEDURAL ORDER

BY THE COMMISSION:

On March 1, 2006, Beaver Dam Water Company ("Beaver Dam") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate" or "CC&N").

On August 22, 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 October 30, 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 October 13, 2006.

IT IS FURTHER ORDERED that objections to any motions to intervene must be filed no later than October 23, 2006.

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...

Arizona Corporation Commission

DOCKETED

AUG 31 2006

DOCKETED BY [Signature]

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

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

7 **Docket No. W-03067A-06-0117**

8 On March 1, 2006, Beaver Dam Water Company ("AWC" or "Applicant") filed with
 9 the Arizona Corporation Commission ("Commission") an application for an
 10 extension of its Certificate of Convenience and Necessity ("Certificate") to provide
 11 water service. 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
 Applicants are 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, [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 **October 30, 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 **October 13, 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: Beaver Dam Water Company
5 W-03067A-06-0117
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8 If you have any questions about this application, you may contact the application at
9 **[insert telephone number]**. If you wish to file written comments on the application
10 or want 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 September 15, 2006.**

23 IT IS FURTHER ORDERED that Beaver Dam Water Company shall file **certification of**
24 **mailing and publication** as soon as practicable after the mailing/publication has been completed, but
25 **not later than October 16, 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 September 22,**
2006.

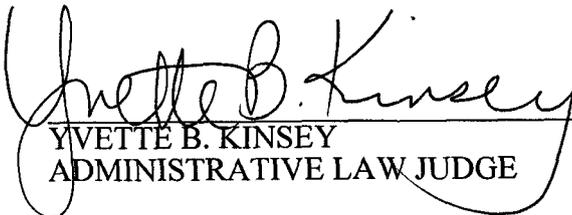
IT IS FURTHER ORDERED that any **objections to the Staff Report shall be filed on or**
before October 13, 2006.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
Communications) applies to this proceeding and shall remain in effect until the Commission's

1 Decision in this matter is final and non-appeable.

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

4 Dated this 31st day of August, 2006

5
6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE

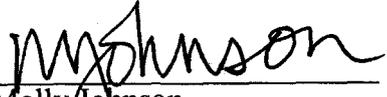
9 Copies of the foregoing mailed/delivered
10 this 31 day of August, 2006 to:

11 Bob Frisby
12 BEAVER DAM WATER COMPANY
13 P.O. Box 550
14 Beaver Dam, AZ 86432

15 Christopher Kempley, Chief Counsel
16 Legal Division
17 ARIZONA CORPORATION COMMISSION
18 1200 West Washington Street
19 Phoenix, AZ 85007

20 Ernest G. Johnson, Director
21 Utilities Division
22 ARIZONA CORPORATION COMMISSION
23 1200 West Washington
24 Phoenix, AZ 85007

25 ARIZONA REPORTING SERVICE, INC.
26 2627 N. Third Street, Ste. Three
27 Phoenix, Arizona 85004-1104

28
By: 
Molly Johnson
Secretary to Yvette B. Kinsey