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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

DEC 13 2002

DOCKETED BY *CAK*

9 Attorneys for Arizona Water Company

10
11 **BEFORE THE ARIZONA CORPORATION COMMISSION**

12 IN THE MATTER OF THE APPLICATION
13 OF ARIZONA WATER COMPANY, AN
ARIZONA CORPORATION, FOR
14 ADJUSTMENTS TO ITS RATES AND
CHARGES FOR UTILITY SERVICE
15 FURNISHED BY ITS NORTHERN GROUP
AND FOR CERTAIN RELATED
16 APPROVALS.

Docket No. W-01445A-00-0962

**ARIZONA WATER COMPANY'S
UNOPPOSED MOTION FOR
EXTENSION OF DOCKET PENDING
FINAL COMMISSION ACTION**

17 Arizona Water Company, the Applicant in the above-entitled matter ("Arizona Water"),
18 hereby requests that the docket in this matter be extended until May 1, 2003, for the limited
19 purpose of allowing the Arizona Corporation Commission (the "Commission") to consider the
20 evidence and legal arguments that have been presented by the parties and to issue a final decision
21 in the second phase of this rate proceeding ("Phase 2"). All of the parties (Staff, RUCO and Casa
22 Grande) were contacted by the undersigned and all of them have indicated they have no objection.

23 As more particularly discussed in the parties' closing briefs, filed with the Commission on
24 December 6, 2002, the Commission authorized the docket in this matter to remain open for the
25 purpose of developing an appropriate methodology for the recovery of costs associated with
26 complying with the new Maximum Contaminant Level for arsenic, in addition to rate

1 consolidation. See Decision No. 64282 (Dec. 28, 2001) at 23-24 and 26. Thereafter, by
2 procedural order dated June 17, 2002, the Administrative Law Judge extended the time period for
3 completing Phase 2 of this docket by an additional 180 days from June 27, 2002, in order to allow
4 completion of the issues deferred by Decision No. 64282. Consequently, the current deadline for
5 the completion of the Phase 2 is December 28, 2002.

6 Through no fault of the parties, the proceedings in Phase 2 have taken longer than
7 anticipated to complete. The parties filed written testimony, and an evidentiary hearing was
8 conducted before the Administrative Law Judge on October 3 and 18, 2002. Finally, the parties
9 filed written closing briefs on December 6, 2002. Thus, the evidentiary portion of Phase Two has
10 been completed. However, there will be no opportunity for the Administrative Law Judge to
11 prepare a recommended opinion and order concerning the Phase 2 issues or for the Commission
12 itself to consider the recommended opinion and order and to issue a final decision in this docket if
13 the docket closes.

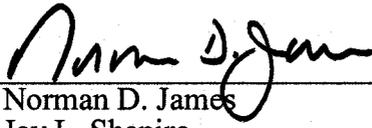
14 As explained by Arizona Water in both its written testimony and again during the hearing,
15 it intends to commence construction of arsenic treatment facilities in 2003, and will likely be in a
16 position for file for a step increase sometime in 2004, by which time a significant portion of the
17 arsenic treatment facilities should be completed and placed in service. Accordingly, a delay of
18 several of months in issuing a final decision will not result in any prejudice. Conversely,
19 however, if the docket is allowed to close on December 28, 2002, without Commission action, the
20 entire purpose of establishing an additional phase in the rate proceeding will be defeated, and both
21 the parties and Commission will have wasted a considerable amount of time and resources.

22 Under these circumstances, the docket should be allowed to remain open for an additional
23 period of time that is sufficient to allow the preparation of a recommended opinion and order and
24 for a final decision from the Commission. Arizona Water submits that an extension until May 1,
25 2003 should be sufficient to permit final agency action, and respectfully asks that the docket
26 remain open until such date, or such other date as may be determined by the Administrative Law

1 Judge to be appropriate under the circumstances herein.

2 RESPECTFULLY SUBMITTED this 13th day of December, 2002.

3 FENNEMORE CRAIG

4 By 

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12 An original and 13 copies of the
13 foregoing was delivered this 13th day of
14 December, 2002 to:

15 Docketing Supervisor
16 Docket Control
17 Arizona Corporation Commission
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19 Phoenix, AZ 85007

20 A copy of the foregoing
21 was delivered this 13th day of
22 December, 2002 to:

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