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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

DOCKETED

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

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AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
GARDNER WATER COMPANY FOR
APPROVAL OF THE SALE AND TRANSFER OF
IT CERTIFICATE OF CONVENIENCE AND
NECESSITY TO UTILITY SYSTEMS, LLC.

DOCKET NO. W-03880A-06-0298
DOCKET NO. W-20459A-06-0298

PROCEDURAL ORDER

BY THE COMMISSION:

On May 1, 2006, Gardner Water Company ("GWC"), and Utility Systems, LLC ("Utility Systems"), filed with the Arizona Corporation Commission ("Commission") an application to transfer GWC's Certificate of Convenience and Necessity ("CC&Ns") to Utility Systems and for approval of the sale of GWC's assets to Utility Systems.

On June 1, 2006, the Commission's Utilities Division Staff ("Staff") filed a letter informing Applicants that the application was insufficient.

On October 20, 2006, Staff filed a letter informing Applicants that the application is administratively complete. Accordingly, the Commission now issues this Procedural Order pursuant to A.A.C. R14-3-101 to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing on the above-captioned matter shall commence on **February 7, 2007 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 **December 15, 2006.**

IT IS FURTHER ORDERED that any objections to motions to intervene must be filed on or before **December 29, 2006.**

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

1 If you have any questions about this application, you may contact the Applicants at
2 **[insert addresses]**. If you wish to file written comments on the application or want
3 further information on intervention you may contact the Consumer Services Section of
4 the Commission at 1200 West Washington Street, Phoenix, Arizona 85007, or call 1-
5 800-222-7000.

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

12 IT IS FURTHER ORDERED that Applicants shall cause a copy of the above notice to be
13 published in a newspaper of general circulation in all the affected areas by **November 24, 2006**.

14 IT IS FURTHER ORDERED that Applicants shall mail to each of GWC's customers a copy
15 of the above notice by **November 24, 2006**.

16 IT IS FURTHER ORDERED that Applicants shall file certification of mailing and
17 publication as soon as practicable after the mailing and publication have been completed, but not later
18 than **December 8, 2006**.

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

21 IT IS FURTHER ORDERED that the Commission's Utilities Division Staff shall file a Staff
22 Report on the application on or before **January 8, 2007**.

23 IT IS FURTHER ORDERED that Applicants and intervenors shall file written objections to
24 the Staff Report by **January 22, 2007**.

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

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

DATED this 7 day of November, 2006.


AMY B. BJELLAND
ADMINISTRATIVE LAW JUDGE

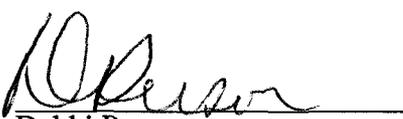
1 Copies of the foregoing mailed/delivered
2 this 7th day of November, 2006 to:

3 Gerald Lenzion
4 GARDNER WATER COMPANY
5 2303 E. Heatherbrae Drive
6 Phoenix, AZ 85016

7 Utility Systems, LLC
8 HC2 Box 164-H
9 Payson AZ 85541

10 Christopher Kempley, Chief Counsel
11 Legal Division
12 ARIZONA CORPORATION COMMISSION
13 1200 West Washington Street
14 Phoenix, AZ 85007
15 ARIZONA REPORTING SERVICE, INC.
16 2627 N. Third Street, Ste. Three
17 Phoenix, Arizona 85004-1104

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

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By: 
Debbi Person
Secretary to Amy B. Bjelland