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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

Arizona Corporation Commission

DOCKETED

2007 APR 30 P 2:03

APR 30 2007

- MIKE GLEASON, Chairman
- WILLIAM A. MUNDELL
- JEFF HATCH-MILLER
- KRISTIN K. MAYES
- GARY PIERCE

AZ CORP COMMISSION DOCUMENT CONTROL

DOCKETED BY	
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IN THE MATTER OF THE APPLICATION OF  
 UTILITY SOURCE, LLC. FOR A  
 DETERMINATION OF THE CURRENT FAIR  
 VALUE OF ITS UTILITY PROPERTY AND FOR  
 AN INCREASE IN ITS WATER AND  
 WASTEWATER RATES AND CHARGES FOR  
 UTILITY SERVICES

DOCKET NO. WS-04235A-06-0303

PROCEDURAL ORDER

BY THE COMMISSION:

On May 1, 2006, Utility Source, LLC ("Utility Source" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a determination of the current fair value of its utility plant and property and for increases in its rates and charges for water and wastewater utility service provided to customers in the Company's service area in Coconino County, Arizona.

By Procedural Order issued July 10, 2006, a hearing in this matter was scheduled for January 22, 2007, and other procedural deadlines were established.

On November 8, 2006, a Procedural Order was issued granting a request by the Commission's Utilities Division Staff ("Staff") to extend the deadline for filing its Direct Testimony, until January 15, 2007.

On November 30, 2006, Staff filed a Notice of Recommended Schedule Changes, including a change of the hearing date and other previously established procedural deadlines. By Procedural Order issued December 20, 2006, Staff's request was granted and the hearing date and other procedural deadlines were amended.

By Procedural Order issued January 16, 2007, Staff's request for an extension of time to file its Direct Testimony was granted.

On March 5, 2007, Staff filed a Motion for Extension and requested a telephonic scheduling conference. On March 7, 2006, the Administrative Law Judge conducted a telephonic procedural

1 conference with counsel for the Company and Staff to discuss Staff's Motion and available dates for  
2 rescheduling the hearing. On March 13, 2007, Staff filed a Notice of Filing Recommended  
3 Scheduling Changes. By Procedural Order issued March 16, 2007, Staff's Motion for Extension was  
4 granted, and the evidentiary hearing was rescheduled to commence on May 1, 2007.

5 By Procedural Order issued April 18, 2007, the hearing was continued to May 2, 2007.

6 On April 27, 2007, the Company filed a Motion for Continuance. The Motion stated that due  
7 to unforeseen family circumstances, counsel for the Company will be unavailable on May 2, 2007,  
8 and requested a continuance to May 23, 2007. Counsel stated that it contacted Intervenor Dennis  
9 Jones, and that Mr. Jones agreed with a continuance date proposed by Counsel. Counsel further  
10 stated in the Motion that he was unable to contact Intervenor Ponderosa Fire District and David  
11 Hitesman by telephone, but left detailed voice messages for them.

12 Under the circumstances, it is reasonable to continue the hearing in this matter to the next  
13 available hearing date, and to suspend the timeclock in this matter during the continuance.

14 IT IS THEREFORE ORDERED that the Utility Source, LLC's Motion for Continuance is  
15 granted.

16 IT IS FURTHER ORDERED that the **evidentiary hearing shall be rescheduled to**  
17 **commence on June 19, 2007, at 10:00 a.m.**, at the offices of the Commission.

18 IT IS FURTHER ORDERED that the time clock is suspended pending the continece of the  
19 hearing.

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

22 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance  
23 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
24 Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to  
25 appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter  
26 is scheduled for discussion, unless counsel has previously been granted permission to withdraw by  
27 the Administrative Law Judge or the Commission.

28 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,

1 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
2 hearing.

3 Dated this 30<sup>th</sup> day of April, 2007

4  
5   
6 TEENA WOLFE  
7 ADMINISTRATIVE LAW JUDGE

8  
9 Copies of the foregoing mailed/delivered  
10 this 30<sup>th</sup> day of April, 2007 to:

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By:   
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Secretary to Teena Wolfe

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