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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

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

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF  
JOHNSON UTILITIES COMPANY FOR AN  
EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY FOR WATER  
AND WASTEWATER SERVICE.

DOCKET NO. WS-02987A-05-0088

PROCEDURAL ORDER

**BY THE COMMISSION:**

On October 25, 2005, the Arizona Corporation Commission ("Commission") issued Decision No. 68235 which granted Johnson Utilities Company ("JUC") an extension of its Certificate of Convenience and Necessity ("Certificate") to provide water and wastewater service.

Decision No. 68235 required JUC, among other things, to "procure a \$500,000 performance bond, with proof of such performance bond filed in Docket Control, as a compliance item in this docket, prior to retail service being provided to any customers in the CC&N extension area."

On March 14, 2006, JUC filed an Application to Amend Decision No. 68235. In its Application, JUC states that it has obtained a Letter of Credit for \$500,000 in lieu of a performance bond and therefore seeks an amendment to Decision No. 68235 to allow substitution of the Letter of Credit for the Performance Bond.

By Procedural Order issued August 11, 2006, a hearing was scheduled for August 25, 2006 regarding JUC's request.

The hearing was held, as scheduled, on August 25, 2006.

On October 5, 2006, JUC filed proposed language for an ordering paragraph related to approval of the Letter of Credit.

On October 10, 2006, Staff filed its recommendation for language to be included in an ordering paragraph.

On October 19, 2006, a Recommended Opinion and Order was issued.

On October 30, 2006, the Company filed Motion Requesting a Procedural Conference due to

1 concerns it has with certain language in the Recommended Order.

2 IT IS THEREFORE ORDERED that a **Procedural Conference shall be scheduled for**  
3 **December 12, 2006, at 10:00 a.m.**, at the offices of the Commission, 1200 West Washington,  
4 Phoenix, Arizona.

5 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
6 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
7 hearing.

8 Dated this 28<sup>th</sup> day of November, 2006

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DWIGHT D. NODES  
ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

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Copies of the foregoing mailed/delivered  
this 28<sup>th</sup> day of November, 2006 to:

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