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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

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CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER

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AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
H2O, INC., FOR AN EXTENSION OF ITS
EXISTING CERTIFICATE OF CONEINENCE
AND NECESSITY

DOCKET NO. W-02234A-00-0371

IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES, L.L.C. DBA JOHNSON
UTILITIES COMPANY FOR AN EXTENSION
FOR ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE WATER AND
WASTEWATER SERVICE TO THE PUBLIC IN
THE DESCRIBED AREA IN PINAL COUNTY,
ARIZONA

DOCKET NO. WS-02987A-99-0583

DOCKET NO. WS-02987A-00-0618

IN THE MATTER OF THE APPLICATION OF
DIVERSIFIED WATER UTILITIES, INC. TO
EXTEND ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY

DOCKET W-02859A-00-0774

IN THE MATTER OF THE APPLICATION OF
QUEEN CREEK WATER COMPANY TO
EXTEND ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY

DOCKET NO. W-01395A-00-0784

PROCEDURAL ORDER

BY THE COMMISSION:

On February 26, 2001, Arizona Utilities Supply & Services, L.L.C., ("AUSS") filed with the Arizona Corporation Commission ("Commission") an Application to Intervene ("Application") in the above-captioned proceedings. AUSS indicated that it has received requests from certain owners or developers of properties which are involved in these proceedings and it anticipated filing on or about March 1, 2001, an application for a Certificate of Convenience and Necessity ("Certificate") to provide sewer service to an area which is part of the pending proceedings involving Johnson Utilities Company ("JUC").

1 On March 5, 2001, JUC, H2O, Inc. (H2O") and Queen Creek Water Company ("Queen
2 Creek") jointly filed an objection to the Application which had been filed by AUSS. JUC, H2O and
3 Queen Creek pointed out that the Application was filed more than two months after the deadline of
4 December 15, 2000, set for filing Applications to Intervene in these proceedings.

5 Further, due to the complexity of these proceedings which involve multiple applications for,
6 in some instances, a Certificate to provide water service to the same parcels, testimony has been pre-
7 filed without knowledge or a prior request of AUSS to intervene. JUC, H2O and Queen Creek point
8 out that the Application of AUSS will unduly broaden and delay this proceeding and unfairly
9 prejudice the parties as well as the developers and landowners who have been waiting for many
10 months for a hearing on the merits. It is also pointed out that the application of AUSS references
11 certain other properties which are not included within the applications involved in the above-
12 captioned proceedings and could be examined in a later proceeding.

13 Under the circumstances, the application of AUSS should be denied.

14 IT IS THEREFORE ORDERED that the Application to Intervene of Arizona Utilities Supply
15 & Services, L.L.C. be, and is hereby, denied.

16 DATED this 5TH day of March, 2001.

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20 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed/delivered
22 this ___ day of March, 2001 to:

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