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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

2007 DEC 19 A 11:40

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

DEC 19 2007

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IN THE MATTER OF THE APPLICATION OF
KINGS RANCH UNIT II TREATMENT
PLANT FOR APPROVAL TO SELL ITS
ASSETS AND TO CANCEL ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. SW-02573A-07-0650

PROCEDURAL ORDER

BY THE COMMISSION:

On November 6, 2007, Kings Ranch Unit II Treatment Plant ("Kings Ranch" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for approval to transfer its assets to the Kings Ranch Unit II Wastewater Improvement District and to cancel its Certificate of Convenience and Necessity ("CC&N") to provide wastewater treatment service.

On December 13, 2007, Applicant filed an Affidavit of Publication.

On December 14, 2007, the Commission's Utility Division ("Staff") filed a Sufficiency Letter in this docket indicating Kings Ranch's application had met the sufficiency requirements as outlined in the Arizona Administrative Code ("A.A.C.").

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be held on **February 4, 2008, 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 **January 18, 2008**.

IT IS FURTHER ORDERED that **objections to any Motions to Intervene** must be filed no later than **January 28, 2008**.

1 IT IS FURTHER ORDERED that Kings Ranch shall provide public notice of the hearing in
 2 this matter, in the following form and style, with the heading no less than 12 point bold type and the
 3 body no less than 10 point regular type:
 4

5 **PUBLIC NOTICE OF THE HEARING ON THE APPLICATION OF**
 6 **KINGS RANCH UNIT II TREATMENT PLANT FOR APPROVAL TO SELL ITS**
 7 **ASSETS AND TO CANCEL ITS CERTIFICATE OF CONVENIENCE AND NECESSITY.**
 8 **(Docket No. SW-02573A-07-0650)**

9 On November 6, 2007, Kings Ranch Unit II Treatment Plant ("Kings Ranch" or
 10 "Applicant") filed with the Arizona Corporation Commission ("Commission") an
 11 application for approval to transfer its assets to the Kings Ranch Unit II Wastewater
 12 Improvement District and to cancel its Certificate of Convenience and Necessity
 13 ("CC&N") to provide sewage treatment service. The Commission's Utilities Division
 14 ("Staff") has not yet made a recommendation regarding Kings Ranch's application,
 15 and the Commission is not bound by the proposals made by Kings Ranch, Staff, or any
 16 intervenors. The Commission will issue a decision regarding Kings Ranch's
 17 application following consideration of testimony and evidence presented at an
 18 evidentiary hearing. Copies of the application are available at Kings Ranch's offices
 19 [insert address] and the Commission's offices at 1200 West Washington, Phoenix,
 20 Arizona, for public inspection during regular business hours and on the internet via the
 21 Commission website (www.azcc.gov) using the e-docket function.

22 The Commission will hold a hearing on this matter beginning **February 4, 2008, at**
 23 **10:00 a.m.**, at the Commission's offices, 1200 West Washington, Phoenix, Arizona.
 24 Public comments will be taken on the first day of the hearing. Written public
 25 comments may be submitted via email (visit
 26 <http://www.azcc.gov/utility/cons/index.htm> for instructions), or by mailing a letter
 27 referencing Docket Number SW-02573A-07-0650 to: Arizona Corporation
 28 Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ
 85007.

The law provides for an open public hearing at which, under appropriate
 circumstances, interested parties may intervene. Any person or entity entitled by law
 to intervene and having a direct and substantial interest in the matter will be permitted
 to intervene. If you would like to intervene, you must file a written motion to
 intervene with the Commission, and you must send copies of the motion to the
 Company or its counsel, and to all parties of record in the case. Your motion to
 intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and
 telephone number of any party upon whom documents are to be served in
 your place, if desired;
2. A short statement of your interest in the proceeding (e.g., a customer of
 the Company, a shareholder of the Company, etc.); and
3. A statement certifying that a copy of your motion to intervene has been
 mailed to the Company or its counsel and to all parties of record in the
 case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105,
 except that all motions to intervene must be filed on or before **January 18,**
2008. If representation by counsel is required by Rule 31 of the Rules of the
 Arizona Supreme Court, intervention will be conditioned upon the intervenor

1 obtaining counsel to represent the intervenor. For information about requesting
2 intervention, visit the Arizona Corporation Commission's webpage at
3 <http://www.azcc.gov/divisions/utility/forms.asp>. The granting of intervention,
4 among other things, entitles a party to present sworn evidence at hearing and to
5 cross-examine other witnesses. However, failure to intervene will not preclude
6 any customer from appearing at the hearing and making a statement on such
7 customer's own behalf.

8 If you have any questions about this application, you may contact Kings Ranch at
9 [insert telephone number]. If you wish to file written comments on the application
10 or want further information on intervention you may contact the Consumer Services
11 Section of the Commission at 1200 W. Washington St., Phoenix, AZ 85007, or call 1-
12 800-222-7000.

13 The Commission does not discriminate on the basis of disability in admission to its
14 public meetings. Persons with a disability may request a reasonable accommodation
15 such as a sign language interpreter, as well as request this document in an alternative
16 format, by contacting the ADA Coordinator Linda Hogan, E-mail Lhogan@azcc.gov,
17 voice phone number 602/542-3931. Requests should be made as early as possible to
18 allow time to arrange the accommodation.

19 IT IS FURTHER ORDERED that the Applicant shall **mail to each property owner or**
20 **property owner representative** in the requested extension area a copy of the above notice and shall
21 cause the above notice to be published in a newspaper of general circulation in its service territory,
22 with publication and mailing to be completed no later than **January 7, 2008**.

23 IT IS FURTHER ORDERED that the Applicant shall **file certification of mailing and**
24 **publication** as soon as practicable after the mailing/publication has been completed, but not later
25 than **January 28, 2008**.

26 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and
27 publication of same, notwithstanding the failure of an individual property owner to read or receive
28 the notice.

IT IS FURTHER ORDERED that Staff shall file a **Staff Report** on or before **January 7,**
2008.

IT IS FURTHER ORDERED that any **objections to the Staff Report** shall be filed on or
before **January 18, 2008**.

IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*

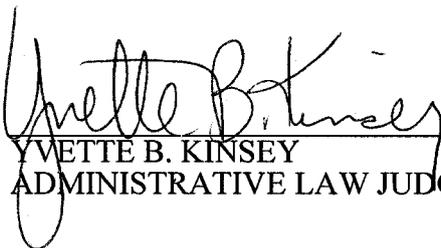
1 *hac vice.*

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

8 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
9 Communications) applies to this proceeding and shall remain in effect until the Commission's
10 Decision in this matter is final and non-appealable.

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

14 Dated this 19th day of December 2007.

15
16 
17 YVETTE B. KINSEY
18 ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed/delivered
this 19th day of December, 2007 to:

20 Philip Albins
21 KINGS RANCH UNIT II
22 TREATMENT PLANT
P.O. Box 109
Black Canyon City, Arizona 85324

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, Arizona 85007

23 Virginia Gray
24 KINGS RANCH UNIT II WASTEWATER
IMPROVEMENT DISTRICT
P.O. Box 1555
25 Black Canyon City, Arizona 85324

ARIZONA REPORTING SERVICE, INC.
2200 N. Central Ave., Suite 502
Phoenix, Arizona 85004

26 Christopher Kempley, Chief Counsel
27 Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
28 Phoenix, Arizona 85007

By: 
Debra Broyles
Secretary to Yvette B. Kinsey