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BEFORE THE ARIZONA CORPORATION CC

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COMMISSIONERS

2007 MAY 16 P 1:46

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

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF:

RAYMOND R. PUGEL AND JULIE B. PUGEL AS  
TRUSTEES OF THE RAYMOND R. PUGEL AND  
JULIE B. PUGEL FAMILY TRUST, and ROBERT  
RANDALL AND SALLY RANDALL,

Complainants,

v.

PINE WATER COMPANY,

Respondent.

DOCKET NO. W-03512A-06-0407

Arizona Corporation Commission  
DOCKETED

MAY 16 2007

DOCKETED BY *nr*

ASSET TRUST MANAGEMENT CORP.,

Complainant,

v.

PINE WATER COMPANY,

Respondent.

DOCKET NO. W-03512A-06-0613

JAMES HILL and SIOUX HILL, husband and wife  
as trustees of THE HILL FAMILY TRUST,

Complainant,

v.

PINE WATER COMPANY,

Respondent.

DOCKET NO. W-03512A-07-0100

BRENT WEEKES,

Complainant,

v.

PINE WATER COMPANY,

Respondent.

DOCKET NO. W-03512A-07-0019

PROCEDURAL ORDER

BY THE COMMISSION:

On June 21, 2006, Raymond R. Pugel and Julie B. Pugel, as trustees of the Raymond R. Pugel and Julie B. Pugel Family Trust, and Robert Randall and Sally Randall (collectively "Pugel

1 Complainants”), filed with the Arizona Corporation Commission (“Commission”) in Docket No. W-  
2 03512A-06-0407 a Complaint (“Pugel Complaint”) against Pine Water Company (“Pine Water” or  
3 “Company”). The Complaint seeks to delete property owned by the Complainants from Pine Water’s  
4 certificated service area based on the allegation that Pine Water is not able to provide satisfactory and  
5 adequate water service in a reasonable time and at a reasonable rate.

6 On September 25, 2006, Asset Trust Management Corp. (“ATM”) filed a similar Complaint  
7 against Pine Water in Docket No. W-03512A-06-0613 (“ATM Complaint”).

8 On February 23, 2007, James Hill and Sioux Hill, as trustees of The Hill Family Trust, filed a  
9 complaint (“Hill Complaint”) against Pine Water in Docket No. W-03512A-07-0100.

10 By Procedural Orders issued December 19, 2006 and April 3, 2007, respectively, he ATM  
11 Complaint and the Hill Complaint were consolidated with the Pugel Complaint.

12 By Procedural Order issued January 16, 2007, this matter was scheduled for hearing to  
13 commence on May 21, 2007.

14 On January 12, 2007, Brent Weekes filed a complaint (“Weekes Complaint”) against Pine  
15 Water in Docket No. W-03512A-07-0019. On May 4, 2007, a Motion to Consolidate the Weekes  
16 Complaint with the other previously consolidated Complaints was filed.

17 On May 8, 2007, Pine Water filed a Response in Opposition to Motion to Consolidate. The  
18 Company’s objection to consolidation centered mainly on the timing of the request, considering that  
19 the hearing was scheduled to begin on May 21, 2007, and there was no opportunity to pursue  
20 discovery in preparation for the hearing.

21 On May 15, 2007, counsel for the Complainants requested a teleconference to discuss a  
22 continuance of the hearing date. A teleconference was conducted with the parties at which time there  
23 was agreement to postpone commencement of the hearing until August 6, 2007.

24 Given that the hearing is being continued, it is reasonable to grant the requested consolidation  
25 of the Weekes Complaint with the other previously consolidated dockets.

26 IT IS THEREFORE ORDERED that **the Weekes Complaint (Docket No. W-03512A-07-**  
27 **0019) shall henceforth be consolidated with the previously consolidated Pugel, ATM and Hill**  
28 **Complaints (Docket Nos. W-03512A-06-0407, W-03512A-06-0613 and W-03512A-07-0100).**

1 IT IS FURTHER ORDERED that the May 21, 2007 hearing shall be vacated and the  
2 hearing in this matter shall be rescheduled to commence on August 6, 2007, at 10:00 a.m., at the  
3 offices of the Commission, 1200 West Washington, Phoenix, Arizona.

4 IT IS FURTHER ORDERED that the previously scheduled May 17, 2007 prehearing  
5 conference shall be vacated and the prehearing conference shall be rescheduled for August 3,  
6 2007, at 10:00 a.m., at the offices of the Commission.

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

10 Dated this 16<sup>th</sup> day of May, 2007.

11 

12 DWIGHT D. NODES  
13 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

14 Copies of the foregoing mailed/delivered  
this 16<sup>th</sup> day of May, 2007 to:

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