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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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

2007 JUL 19 P 3:00

AZ CORP COMMISSION
DOCKET CONTROL

JUL 19 2007

DOCKETED BY	<i>[Signature]</i>
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IN THE MATTER OF THE APPLICATION OF
SANTA CRUZ WATER COMPANY AND PALO
VERDE UTILITIES COMPANY TO AMEND
DECISION NO. 68498 PURSUANT TO A.R.S.
SECTION 40-252.

DOCKET NO. W-03576A-07-0305

DOCKET NO. SW-03575A-07-0305

PROCEDURAL ORDER

BY THE COMMISSION:

On February 23, 2006, the Arizona Corporation Commission ("Commission") issued Decision No. 68498, which granted Santa Cruz Water Company, LLC ("Santa Cruz") and Palo Verde Utilities Company, LLC ("Palo Verde") (Collectively, "Global Utilities") an Order Preliminary ("Order"). Pursuant to the Order, Santa Cruz was to file a copy of the Arizona Department of Environmental Quality ("ADEQ") Approval of Construction ("AOC") for the proposed water line interconnection by December 31, 2006. Further, Palo Verde was ordered to file a copy of the ADEQ AOC for the sewer line interconnection by December 31, 2006.

On March 20, 2007, the Commission's Utilities Division Staff ("Staff") filed a memorandum requesting that the above-referenced dockets be administratively closed due to Santa Cruz and Palo Verde's failure to timely comply with Decision No. 68498.

On May 7, 2007, Staff issued a memorandum to administratively close the above-captioned dockets.

On May 8, 2007, the Commission's Docket Control issued Administrative Closure No. 69493 which closed the dockets.

On May 21, 2007, Santa Cruz and Palo Verde filed an Application to Amend Decision No. 68498.

On June 12, 2007, Santa Cruz and Palo Verde filed notice of the Arizona Department of Environmental Quality ("ADEQ") Compliance Status Report demonstrating that Santa Cruz was

1 delivering water that meets ADEQ requirements.

2 On June 15, 2007, the Commissioners voted to have a hearing on Global Utilities Motion to
3 Amend Decision No. 68498, pursuant to A.R.S. § 40-252.

4 On June 25, 2007, by Procedural Order, a procedural conference was scheduled for July 11,
5 2007.

6 On July 11, 2007, a procedural conference was held as scheduled, and the parties were
7 directed to file a proposed joint procedural schedule to govern the proceedings in this matter.

8 On July 18, 2007, counsel for Global Utilities and Staff jointly submitted a stipulated
9 procedural scheduled for this matter.

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

12 IT IS THEREFORE ORDERED that a **hearing** shall commence on **September 25, 2007, at**
13 **10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington
14 Street, Phoenix, Arizona.

15 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-
16 105, except that all motions to intervene must be filed on or before **September 7, 2007**.

17 IT IS FURTHER ORDERED that **objections to any motions to intervene shall be filed no**
18 **later than September 17, 2007**.

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1 IT IS FURTHER ORDERED that Global Utilities shall provide public notice of the hearing in
2 this matter, in the following form and style:

3 **PUBLIC NOTICE OF THE HEARING ON THE APPLICATION OF**
4 **SANTA CRUZ WATER COMPANY AND PALO VERDE UTILITIES**
5 **COMPANY TO AMEND DECISION NO. 68498 PURSUANT TO**
6 **A.R.S. SECTION 40-252**
7 **DOCKET NOS. W-03576A-07-0305 ET AL..**

8 On February 23, 2006, the Arizona Corporation Commission ("Commission") issued
9 Decision No. 68498, which granted Santa Cruz Water Company, LLC ("Santa Cruz")
10 and Palo Verde Utilities Company, LLC ("Palo Verde") (collectively, "Global
11 Utilities") an Order Preliminary ("Order"). Pursuant to the Order, Santa Cruz was to
12 file a copy of the Arizona Department of Environmental Quality ("ADEQ") Approval
13 of Construction ("AOC") for the proposed water line interconnection by December 31,
14 2006. Further, Palo Verde was ordered to file a copy of the ADEQ AOC for the sewer
15 line interconnection by December 31, 2006. On March 20, 2007, the Commission's
16 Utilities Division Staff ("Staff") filed a memorandum requesting that the above-
17 referenced dockets be administratively closed due to Global Utilities' failure to timely
18 comply with Decision No. 68498. On May 21, 2007, Global Utilities filed an
19 Application to Amend Decision No. 68498. The Commission's Utilities Division Staff
20 has not yet made a recommendation regarding Global Utilities' application, and the
21 Commission is not bound by the proposals made by the Global Utilities, Staff, or any
22 intervenors. The Commission will issue a decision regarding Global Utilities'
23 application following consideration of testimony and evidence presented at an
24 evidentiary hearing. Copies of the application are available at the Global Utilities'
25 offices [insert address] and the Commission's offices at 1200 West Washington,
26 Phoenix, Arizona, for public inspection during regular business hours and on the
27 internet via the Commission website (www.azcc.gov) using the e-docket function.

28 The Commission will hold a hearing on this matter beginning **September 25, 2007, at
10:00 a.m.**, at the Commission's offices, 1200 West Washington, Phoenix, Arizona.
Public comments will be taken on the first day of the hearing. Written public
comments may be submitted via email (visit
<http://www.azcc.gov/utility/cons/index.htm> for instructions), or by mailing a letter
referencing Docket Number W-03576A-07-0305 ET AL., to: Arizona Corporation
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.

1 2. A short statement of your interest in the proceeding (e.g., a customer of
the Company, a shareholder of the Company, etc.).

2 3. A statement certifying that a copy of your motion to intervene has been
3 mailed to the Company or its counsel and to all parties of record in the
case.

4 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
5 that all motions to intervene must be filed on or before September 7, 2007. The
6 granting of intervention, among other things, entitles a party to present sworn evidence
at hearing and to cross-examine other witnesses. However, failure to intervene will
7 not preclude any customer from appearing at the hearing and making a statement on
such customer's own behalf.

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

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

14 IT IS FURTHER ORDERED that Global Utilities shall cause the above notice to be
15 **published** at least once in a newspaper of general circulation in the effected territory, with
16 publication to be completed no later than **August 17, 2007**.

17 IT IS FURTHER ORDERED that Applicant shall file **certification of publication** no later
18 than **August 31, 2007**.

19 IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same,
20 notwithstanding the failure of an individual customer to read or receive the notice.

21 IT IS FURTHER ORDERED that the **Staff Report and associated exhibits** to be presented
22 at hearing shall be reduced to writing and filed on or before **August 24, 2007**.

23 IT IS FURTHER ORDERED that any **objections to the Staff Report and associated**
24 **exhibits** shall be reduced to writing and filed on or before **September 17, 2007**.

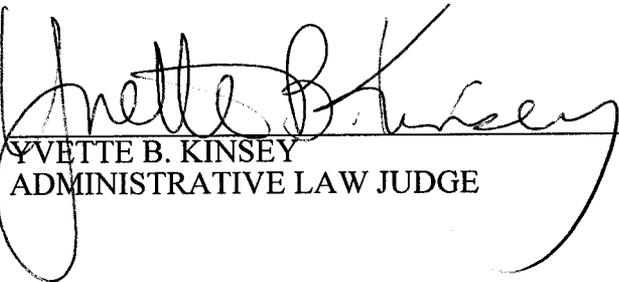
25 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
26 Communications) applies to this proceeding as the matter is now set for public hearing.

1 IT IS FURTHER ORDERED that all parties must comply with Rule 33(c) and 38(a) of the
2 Rules of the Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

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

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

12 DATED this 19th day of July, 2007.

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16 YVETTE B. KINSEY
17 ADMINISTRATIVE LAW JUDGE
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1 Copies of the foregoing mailed/delivered
2 this 19th day of July, 2007 to:

3 Michael W. Patten
4 Timothy J. Sabo
5 ROSHKA, DEWULF & PATTEN, PLC
6 One Arizona Center
7 400 E. Van Buren, Suite 800
8 Phoenix, AZ 85004

9 Cindy Liles
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12 21410 North 19th Avenue, Suite 201
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19 Christopher Kempley, Chief Counsel
20 Legal Division
21 ARIZONA CORPORATION COMMISSION
22 1200 West Washington Street
23 Phoenix, AZ 85007

24 Ernest G. Johnson, Director
25 Utilities Division
26 ARIZONA CORPORATION COMMISSION
27 1200 West Washington
28 Phoenix, AZ 85007

ARIZONA REPORTING SERVICE, INC.
2200 North Third Street, Suite 502
Phoenix, AZ 85004-1481

21 By: 
22 Debra Broyles
23 Secretary to Yvette B. Kinsey