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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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AZ CORP COMMISSION
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Arizona Corporation Commission

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IN THE MATTER OF THE APPLICATION OF
WALNUT CREEK WATER COMPANY, INC. FOR
AN EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
WATER SERVICE IN VARIOUS PARTS OF
MOHAVE COUNTY, ARIZONA.

DOCKET NO. W-02466A-06-0504

PROCEDURAL ORDER

BY THE COMMISSION:

On August 7, 2006, Walnut Creek Water Company, Inc. ("Company" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate") to provide water service in various parts of Mohave County, Arizona.

On September 1, 2006, pursuant to A.A.C. R14-2-402(C), the Utilities Division ("Staff") filed a Notice of Insufficiency with respect to the Company's application.

On November 8, 2006, the Company filed a motion from the Company's president requesting that the proceeding be suspended due to ongoing medical problems which he has had that have resulted in complications.

On December 5, 2006, Staff filed a response to the Company's request indicating that it did not object to Applicant's request and indicated that it believed that the timeclock should be suspended until at least June 30, 2007.

On December 12, 2006, by Procedural Order, the timeclock was suspended indefinitely due to the uncertainty expressed by the Company's president. The timeclock was to remain suspended until either a sufficiency letter was issued on this application or it was determined that the matter should be dismissed.

On July 16, 2007, Staff issued a letter of administrative completeness to the Company.

1 In accordance with A.R.S. § 41-1074(A), the application herein is deemed administratively
2 complete.

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

5 IT IS THEREFORE ORDERED that a **hearing** shall commence on **September 13, 2007, at**
6 **11:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington
7 Street, Phoenix, Arizona 85007.

8 IT IS FURTHER ORDERED that the **Staff Report and associated exhibits** to be presented
9 at hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on **August**
10 **20, 2007.**

11 IT IS FURTHER ORDERED that any **objections to the Staff Report and associated**
12 **exhibits** to be presented at hearing by Applicant shall be reduced to writing and filed on or before
13 4:00 p.m. on **August 27, 2007.**

14 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-
15 105, except that all motions to intervene must be filed on or before **August 24, 2007.**

16 IT IS FURTHER ORDERED that Walnut Creek Water Company shall **provide public notice**
17 **of the hearing** in this matter, in the following form and style:

18 **PUBLIC NOTICE OF THE HEARING FOR WALNUT CREEK WATER**
19 **COMPANY FOR AN EXTENSION OF ITS CERTIFICATE OF**
20 **CONVENIENCE AND NECESSITY**
21 **DOCKET NO. W-02466A-06-0504**

22 On August 7, 2006, Walnut Creek Water Company, Inc. ("Company") filed an
23 application for an extension of its Certificate of Convenience and Necessity to
24 provide public water and wastewater utility service to various parts of Mohave
25 County, Arizona.

26 The application is available for inspection during regular business hours at the offices
27 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona
28 and at the Applicant's office, [insert office address]] and on the internet via the
Commission website (www.azcc.gov) using the e-docket function.

The Commission will hold a hearing on this matter commencing on **September 13,**
2007 at 11:00 a.m., at the Commission's offices, 1200 West Washington Street,
Phoenix, Arizona. Public comments will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate
circumstances, interested parties may intervene. Intervention shall be permitted to

1 any person entitled by law to intervene and having a direct and substantial interest in
2 the matter. Persons desiring to intervene must file a written motion to intervene with
3 the Commission, which motion should be sent to Applicant or its counsel and to all
4 parties of record, and which, at the minimum, shall contain the following:

- 5 1. The name, address, and telephone number of the proposed intervenor and of
6 any party upon whom service of documents is to be made if different than the
7 intervenor.
- 8 2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,
9 a customer of Applicant, a shareholder of Applicant, a competitor, etc.).
- 10 3. A statement certifying that a copy of the motion to intervene has been mailed
11 to the Applicant or its counsel and to all parties of record in the case.

12 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
13 that all motions to intervene must be filed on or before August 24, 2007. The
14 granting of intervention, among other things, entitles a party to present sworn
15 evidence at hearing and to cross-examine other witnesses. However, failure to
16 intervene will not preclude any customer from appearing at the hearing and making a
17 statement on such customer's own behalf.

18 If you have any questions or concerns about this application or have any objections
19 to its approval, or wish to make a statement in support of it, you may write the
20 Consumer Services Section of the Commission at 1200 West Washington Street,
21 Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make
22 comment.

23 The Commission does not discriminate on the basis of disability in admission to its
24 public meetings. Persons with a disability may request a reasonable accommodation
25 such as a sign language interpreter, as well as request this document in an alternative
26 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-
27 3931, E-mail lhogan@azcc.gov. Requests should be made as early as possible to
28 allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Walnut Creek Water Company shall cause the above **notice**
to be published at least once in a newspaper of general circulation in its service territory, with
publication to be completed no later than **August 10, 2007**.

IT IS FURTHER ORDERED that Walnut Creek Water Company file **certification of**
publication as soon as practicable after the publication has been completed.

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

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

4 Dated this 27th day of July, 2007.



MARC E. STERN
ADMINISTRATIVE LAW JUDGE

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9 Copies of the foregoing mailed/delivered
10 this 27th day of July, 2007 to:

11 Dennis Sims
12 WALNUT CREEK WATER CO., INC.
13 119 East Route 66
14 Kingman, AZ 86401

15 Christopher Kempley, Chief Counsel
16 Legal Division
17 ARIZONA CORPORATION COMMISSION
18 1200 West Washington Street
19 Phoenix, AZ 85007

20 Ernest G. Johnson, Director
21 Utilities Division
22 ARIZONA CORPORATION COMMISSION
23 1200 West Washington Street
24 Phoenix, AZ 85007

25 ARIZONA REPORTING SERVICE, INC.
26 2200 North Third Street, Suite 502
27 Phoenix, AZ 85004-1481

28
By: 
Debra Broyles
Secretary to Marc E. Stern