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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUL -1 2008

DOCKETED BY	<i>mm</i>
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IN THE MATTER OF THE APPLICATION OF  
RIDGELINE WATER COMPANY L.L.C. FOR A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY.

DOCKET NO. W-20589A-08-0173

PROCEDURAL ORDER

**BY THE COMMISSION:**

On March 25, 2008, Ridgeline Water Company L.L.C. ("RWC" or "Company") filed with the Arizona Corporation Commission ("Commission") an Application for a Certificate of Convenience and Necessity ("CCN" or "Certificate") to provide water service in Pima County, Arizona.

On April 16, 2008, the Commission's Utilities Division Staff ("Staff") notified the Company that its application was not sufficient pursuant to the Arizona Administrative Code ("Insufficiency Letter").

On April 23, 2008, RWC responded to Staff's Insufficiency Letter.

On May 5, 2008, Staff filed a second Insufficiency Letter.

On May 27, 2008, RWC responded to Staff's second Insufficiency Letter.

On June 6, 2008, Staff notified the Company that its Application is sufficient pursuant to the Arizona Administrative Code.

Accordingly, the matter should be set for hearing.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be held on **September 4, 2008, at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's offices, **Room 222, 400 West Congress Street, Tucson, Arizona 85701.**

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 **August 20, 2008.**

1 IT IS FURTHER ORDERED that RWC shall serve public notice of the hearing in this matter  
 2 in the following form and style:

3  
 4 **PUBLIC NOTICE OF HEARING ON APPLICATION BY**  
**RIDGELINE WATER COMPANY L.L.C. FOR A**  
 5 **CERTIFICATE OF CONVENIENCE AND NECESSITY**  
**DOCKET NO. W-20589A-08-0173**

6 On March 25, 2008, Ridgeline Water Company L.L.C. ("Company") filed an  
 7 application with the Arizona Corporation Commission ("Commission") for a  
 8 Certificate of Convenience and Necessity ("Certificate"). If the application is granted  
 9 the Company would be the exclusive provider of water service within the requested  
 area, and would be required to provide service on the terms and conditions as  
 established by the Commission.

10 The application is available for inspection during regular business hours at the offices  
 11 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona,  
 12 and in Tucson, at 400 West Congress Street Suite 218, Tucson, Arizona, and at the  
 offices of the Applicant, [APPLICANT INSERT ADDRESS]. The application is  
 also available on the Commission's website, [www.azcc.gov](http://www.azcc.gov), using the e-Docket link.

13 The Commission will hold a hearing on this matter on **September 4, 2008, at 10:00**  
 14 **a.m.**, or as soon thereafter as is practical, at the Commission's Tucson offices, **Room**  
**222, 400 West Congress Street, Tucson, Arizona 85701.**

15 The law provides for an open public hearing at which, under appropriate  
 16 circumstances, interested persons may intervene in the proceedings and participate as  
 17 a party. Persons desiring to intervene must file a written motion to intervene with the  
 Commission and send such motion to Applicant or its counsel and to all parties of  
 record. The motion must, at the minimum, contain the following:

- 18 1. The name, address, and telephone number of the proposed intervenor and of  
 19 any party upon whom service of documents is to be made if different from  
 that of the intervenor.
- 20 2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,  
 21 a customer or potential customer of the Applicant, a member or shareholder of  
 the Applicant, etc.).
- 22 3. A statement certifying that a copy of the motion to intervene has been mailed  
 23 to the Applicant or its counsel and to all parties of record in the case.

24 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
 25 that all motions to intervene must be filed on or before August 20, 2008. If  
 26 representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme  
 27 Court, intervention will be conditioned upon the intervenor obtaining counsel to  
 28 represent the intervenor. For information about requesting intervention, visit the  
 Arizona Corporation Commission's webpage at  
<http://www.azcc.gov/utility/forms/index.htm>. The 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 not preclude any customer from  
 appearing at the hearing and making a statement on such customer's own behalf.

1 If you have any questions about this application, you may contact Applicant at  
2 [APPLICANT insert contact name, address and telephone number]. If you want  
3 further information on intervention or have questions on how to file comments, you  
4 may contact the Consumer Services Section of the Commission at 1200 West  
5 Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

6 The Commission does not discriminate on the basis of disability in admission to its  
7 public meetings. Persons with a disability may request a reasonable accommodation  
8 such as a sign language interpreter, as well as request this document in an alternative  
9 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-  
10 3931, E-mail: [LHogan@azcc.gov](mailto:LHogan@azcc.gov). Requests should be made as early as possible to  
11 allow time to arrange the accommodation.

12 IT IS FURTHER ORDERED that RWC shall publish the above notice in a newspaper of  
13 general circulation within the proposed extended service territory and shall mail to each property  
14 owner in the requested service territory a copy of this notice by first-class U.S. Mail, to begin as soon  
15 as possible and to be completed on or before **August 1, 2008**.

16 IT IS FURTHER ORDERED that RWC shall file certifications of mailing and publication as  
17 soon as practicable after the mailing and publication have been completed.

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

20 IT IS FURTHER ORDERED that Staff shall file its **Staff Report** and associated exhibits to  
21 be presented at the hearing on or before **4:00 p.m., August 13, 2008**.

22 IT IS FURTHER ORDERED that **any objection or response** by the Applicant or Intervenors  
23 to the Staff Report shall be made in writing and filed on or before **August 27, 2008**.

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

26 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
27 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

28 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*  
*hac vice*.

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

3 DATED this 30<sup>th</sup> day of June, 2008.

4  
5   
6 BELINDA A. MARTIN  
7 ADMINISTRATIVE LAW JUDGE

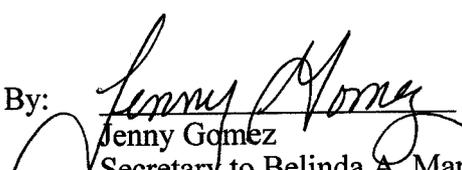
8 Copies of the foregoing mailed  
9 this 30<sup>th</sup> day of June, 2008 to:

10 Lawrence V. Robertson, Esq.  
11 Attorney at Law  
12 P.O. Box 1448  
13 Tubac, Arizona 85646  
14 Counsel for Applicant

15 Janice Alward, Chief Counsel  
16 Legal Division  
17 ARIZONA CORPORATION COMMISSION  
18 1200 West Washington Street  
19 Phoenix, Arizona 85007

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

25 ARIZONA REPORTING SERVICE, INC.  
26 2200 North Central Avenue, Suite 502  
27 Phoenix, Arizona 85004-1481

28  
By:   
Jenny Gomez  
Secretary to Belinda A. Martin