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ADMITTED TO PRACTICE IN:
ARIZONA, COLORADO, MONTANA,
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DISTRICT OF COLUMBIA
AZ CORP. DOCKET CONTROL

OF COUNSEL TO
MUNGER CHADWICK, P.L.C.

March 3, 2008

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Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

MAR 3 2008

ARIZONA CORP. COMM
400 W CONGRESS STE 218 TUCSON AZ 85701

Re: Diablo Village Water Company
Docket No. W-02309A-07-0399

To Whom It May Concern:

Enclosed for filing in the above-referenced docket on behalf of Diablo Village Water Company are the original and thirteen (13) copies of a Motion To Suspend Procedural Schedule ("Motion").

Also enclosed are two (2) additional copies of the Motion. I would appreciate it if you would "filed" stamp the same and return them to me in the enclosed addressed and prepaid envelope.

Please let me know if you have any questions. Thank you for your assistance.

Arizona Corporation Commission
DOCKETED

MAR - 6 2008

Sincerely,

Lawrence V. Robertson, Jr.

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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

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AZ CORP COMMISSION
DOCKET CONTROL

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MAR 3 2008

ARIZONA CORP. COMM
400 W CONGRESS STE 218 TUCSON AZ 85701

IN THE MATTER OF THE APPLICATION OF)
DIABLO VILLAGE WATER COMPANY, FOR (I))
DETERMINING THE FAIR VALUE OF DIABLO)
VILLAGE'S UTILITY PLANT AND PROPERTY)
FOR RATEMAKING PURPOSES, (II))
DETERMINING A FAIR AND REASONABLE)
RATE OF RETURN THEREON, AND (III))
APPROVING AN INCREASE IN DIABLO)
VILLAGE'S RATES AND CHARGES FOR)
WATER UTILITY SERVICE.)

DOCKET NO. W-02309A-07-0399

MOTION TO SUSPEND
PROCEDURAL SCHEDULE

Arizona Corporation Commission

DOCKETED

MAR 6 2008

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Pursuant to A.A.C. R14-3-106 (k), Diablo Village Water Company ("DVWC") hereby moves the Commission for an order suspending the current procedural schedule in the above-captioned and above-docketed proceeding. The circumstances occasioning this motion are set forth below.

Earlier today the principals of DVWC and the Metropolitan Domestic Water Improvement District ("MDWID") in Tucson reached an agreement in principle pursuant to which MDWID will acquire all of the assets of DVWC. The principals of DVWC and MDWID anticipate that DVWC will be filing an application with the Commission within the next few weeks requesting that the Commission issue an opinion and order extinguishing DVWC's current Certificate of Convenience and Necessity to provide water service.

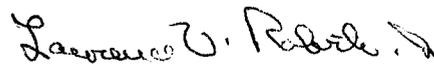
Under the existing procedural schedule in the above-captioned and above-docketed proceeding, the Commission Staff is scheduled to file the Staff Report on March 7, 2008. Thereafter, DVWC is scheduled to file its Response to the Staff Report on March 26, 2008; and, Rejoinder Testimony is scheduled to be filed on April 18, 2008. In addition, a Public

1 Hearing is scheduled to begin before the assigned Administrative Law Judge on April 28,
2 2008.

3 In view of the agreement in principle reached today between DVWC and MDWID,
4 DVWC believes that a continuation of activities under the current procedural schedule in the
5 above-captioned and above-docketed proceeding would be an inefficient and unproductive use
6 of both the Commission Staff's and DVWC's time and resources, inasmuch as the ownership
7 and operations of DVWC may be transferred to an entity which is not regulated by the
8 Commission within the next few months. Accordingly, DVWC hereby respectfully requests
9 the issuance of a Procedural Order in the above-captioned and above-docketed proceeding,
10 suspending the current procedural schedule until further notice. In that regard, the
11 undersigned counsel for DVWC has previously advised the Commission Staff's counsel of his
12 intent to file this motion, and the Commission Staff's counsel has authorized the undersigned
13 to represent that counsel for the Commission's Staff supports this motion.

14 Dated this 3rd of March 2008.

15 Respectfully submitted,

16 

17 Lawrence V. Robertson, Jr.
18 Attorney for Diablo Village Water Company

19
20 Original and thirteen (13) copies of the
21 foregoing filed this 3rd day
of March 2008 to:

22 Docket Control Division
23 Arizona Corporation Commission
24 c/o 400 West Congress, Suite 218
Tucson, Arizona 85701

25 A copy of the same served by e-mail or first
26 class mail this same date to:

27 Judge Jane Rodda
28 Arizona Corporation Commission
400 West Congress, Suite 218
Tucson, Arizona 85701

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