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BEFORE THE ARIZONA CORPORATION COMMISSION

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

AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY TO EXTEND ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY IN CASA GRANDE, PINAL
COUNTY, ARIZONA.

DOCKET NO. W-01445A-03-0559

PROCEDURAL ORDER

BY THE COMMISSION:

On July 30, 2007, the Arizona Corporation Commission ("Commission") issued Decision No. 69722. Decision No. 69722 remanded this case to the Hearing Division for further proceedings regarding whether Arizona Water Company ("AWC") should continue to hold a Certificate of Convenience and Necessity ("CC&N") at this time for the area in its CC&N territory owned by Cornman Tweedy 560, L.L.C. ("Cornman"), as depicted in Exhibit B to that Decision.

On November 8, 2008, pursuant to A.A.C. R14-3-101, a Procedural Order was issued to govern the preparation and conduct of the remand hearing in this docket ordered by Decision No. 69722. The hearing was set to commence on February 14, 2008; the filing date for direct testimony and exhibits on behalf of AWC and Cornman was set for January 4, 2008, and associated procedural deadlines were set.

On February 4, 2008, a Procedural Order was issued granting a request by AWC and Cornman Tweedy 560, LLC ("Cornman") to extend the date for the filing of rebuttal testimony from February 1, 2008, to February 5, 2008. The Procedural Order also granted a request by AWC to continue the date for commencement of the remand hearing from February 14, 2008, to February 15, 2008.

On February 5, 2008, Cornman filed Notice of Filing Prefiled Testimony of Jim Poulos and Dr. Fred Goldman.

1 Also on February 5, 2008, AWC filed a Certificate of Filing Rebuttal Testimony.

2 On February 7, 2008, AWC filed Arizona Water Company's Motion to Strike Cornman
3 Tweedy's Irrelevant Testimony and Exhibits ("Motion to Strike").

4 On February 8, 2008, Cornman filed Cornman Tweedy's Motion for Modification of
5 Procedural Schedule (Expedited Relief Requested).

6 Also on February 8, 2008, the parties contacted the Hearing Division and requested a
7 telephonic procedural conference to discuss Cornman's February 4, 2008 Motion. A telephonic
8 procedural conference was convened as requested, and counsel for AWC, Cornman, and the
9 Commission's Utilities Division Staff ("Staff") appeared through counsel. After discussion during
10 the procedural conference, the parties agreed that the procedural schedule should be modified to
11 allow Cornman and Staff an extension of time from February 11, 2008, to February 15, 2008, to file
12 pre-hearing briefs. The parties further agreed that the February 15, 2008, filing should include
13 Cornman's and Staff's responses to AWC's Motion to Strike. The parties indicated agreement to
14 AWC's proposal that it file its reply to the parties' responses to the Motion to Strike on February 19,
15 2008. The parties stated that they are available for oral argument on February 22, 2008.

16 The parties' requests regarding pleadings and filing deadlines are reasonable and should be
17 granted. Oral argument should be held on the Motion to Strike, Responses to Motion to Strike, and
18 Reply to Responses to Motion to Strike.

19 IT IS THEREFORE ORDERED that the **remand hearing** in this matter currently set to
20 commence on February 15, 2008, is hereby **continued pending the issuance of a subsequent**
21 **Procedural Order.**

22 IT IS FURTHER ORDERED that **oral argument** shall be heard on **February 22, 2008,**
23 **commencing at 10:00 a.m.,** or as soon thereafter as practical, on Arizona Water Company's Motion
24 to Strike, the Responses of the Commission's Utilities Division Staff and Cornman Tweedy 560,
25 LLC to the Motion to Strike, and Arizona Water Company's Reply to the Responses of Cornman
26 Tweedy 560, LLC and the Commission's Utilities Division Staff to the Motion to Strike.

27 IT IS FURTHER ORDERED that the **filing deadline for pre-hearing briefs** previously
28 ordered in this matter is hereby **extended to February 15, 2008 by 4:00 p.m.**

1 IT IS FURTHER ORDERED that the Commission's Utilities Division Staff and Cornman
2 Tweedy 560, LLC shall also file, on February 15, 2008, by 4:00 p.m., their Responses to Arizona
3 Water Company's Motion to Strike.

4 IT IS FURTHER ORDERED that Arizona Water Company shall file, by February 19,
5 2008, its Reply to the Responses of Cornman Tweedy 560, LLC and the Commission's Utilities
6 Division Staff to Arizona Water Company's Motion to Strike.

7 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
8 Communications) continues to apply to this proceeding and shall remain in effect until the
9 Commission's Decision in this matter is final and non-appealable.

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

12 Dated this 12th day of February, 2008.

13
14 
15 TEENA WOLFE
16 ADMINISTRATIVE LAW JUDGE

17 The foregoing was mailed/delivered
18 this 12th day of February, 2008 to:

19 Robert W. Geake
20 ARIZONA WATER COMPANY
P. O. Box 29006
Phoenix, AZ 85038

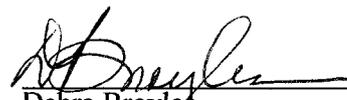
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