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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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1 COMMISSIONERS

2 MIKE GLEASON, Chairman
3 WILLIAM A. MUNDELL
4 JEFF HATCH-MILLER
5 KRISTIN K. MAYES
6 GARY PIERCE

2008 FEB 28 P 4: 14

AZ CORP COMMISSION
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6 IN THE MATTER OF THE APPLICATION
7 OF ANTELOPE LAKES SEWER, L.L.C. FOR
8 APPROVAL OF A CERTIFICATE OF
9 CONVENIENCE AND NECESSITY TO
PROVIDE SEWER SERVICES IN YAVAPAI
COUNTY, ARIZONA.

DOCKET NO. SW-20510A-07-0062

PROCEDURAL ORDER

10 BY THE COMMISSION:

11 On January 29, 2007, Antelope Lakes Sewer, L.L.C. ("Company" or "Applicant"), filed an
12 application for a Certificate of Convenience and Necessity ("Certificate") with the Arizona
13 Corporation Commission ("Commission") to provide public sewer utility service to various parts of
14 Yavapai County, Arizona.

15 On February 22, 2007, the Commission's Utilities Division ("Staff") issued a Notice of
16 Insufficiency which indicated that the Company's application had not met the sufficiency
17 requirements of A.A.C. R14-2-610(C).

18 On January 30, 2008, Staff issued a Notice of Sufficiency.

19 On February 1, 2008, the Commission, by Procedural Order, scheduled a hearing on March
20 27, 2008, established a date for public notice to be provided and established other filing dates in the
21 proceeding.

22 On February 21, 2008, the Company filed certification that it had published notice of its
23 application and hearing thereon pursuant to the Commission's Procedural Order. Additionally, Staff
24 filed a Motion to Extend Time ("Motion") which states that the Staff Report is due to be filed on
25 March 5, 2008, but the Company is in the process of changing accountants and is requesting thirty
26 days to respond to a data request from Staff. Due to this delay, Staff's Motion requests an extension
27 to file the Staff Report until April 4, 2008. Staff is further requesting that the Company be given until
28 April 18, 2008, to file objections to the Staff Report and that the hearing be continued from March

1 27, 2008 to April 24, 2008. Further, Staff requests that intervention be permitted until the date of the
2 hearing. The Company is in agreement with Staff's Motion.

3 Under the circumstances, Staff's Motion is reasonable and should be granted, but since public
4 notice has already been provided by the Company, the present date for a hearing of March 27, 2008,
5 should be used for the purpose of taking public comment only.

6 IT IS THEREFORE ORDERED that the **hearing scheduled on March 27, 2008**, at 9:30
7 a.m., or as soon thereafter as is practical, at the Commission's offices shall be held for the purpose of
8 taking **public comment** only.

9 IT IS FURTHER ORDERED that the **evidentiary portion of the hearing** shall be held on
10 **April 24, 2008, at 9:30 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200
11 West Washington Street, Room 100, Phoenix, Arizona.

12 IT IS FURTHER ORDERED that the **Staff Report and associated exhibits** to be presented
13 at Hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on **April 4,**
14 **2008.**

15 IT IS FURTHER ORDERED that any **objections to the Staff Report and associated**
16 **exhibits** to be presented at hearing by Applicant shall be reduced to writing and filed on or before
17 4:00 p.m. on **April 18, 2008.**

18 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A. C. R-14-3-
19 105, except that all motions to intervene must be filed on or before **April 23, 2008.**

20 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
21 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*
22 *hac vice.*

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

26 IT IS FURTHER ORDERED that the time-frame in this proceeding shall be suspended until
27 further order.

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

DATED this 20th day of February, 2008.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 28th day of February, 2008 to:

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By: 
Debra Broyles
Secretary to Marc Stern