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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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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
JOHNSON UTILITIES COMPANY, LLC FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. WS-02987A-06-0667

PROCEDURAL ORDER

BY THE COMMISSION:

On October 16, 2006, Johnson Utilities, L.L.C. ("Applicant" or "Johnson") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its water and sewer Certificate of Convenience and Necessity ("Certificate" or "CC&N") to include the developments known as Monterra, Montessa, Florence Plaza, and portions of Walker Butte.

On November 14, 2006, the Commission's Utilities Division ("Staff") filed a Letter of Insufficiency.

On January 30, 2007, Applicant filed its Response to Staff's Insufficiency Letter.

On March 2, 2007, Staff filed its second Insufficiency Letter.

On April 11, 2007, Applicant filed its Response to Staff's second Insufficiency Letter.

On May 8, 2007, Staff filed a Sufficiency Letter in this docket indicating that the Applicant's application has met the sufficiency requirements as outlined in the Arizona Administrative Code ("A.A.C.")

On May 14, 2007, by Procedural Order, the hearing on this matter was set to be held on July 9, 2007.

On June 7, 2007, Applicant filed a Request for Continuance, which stated that due to Arizona Department of Water Resources ("ADWR") compliance issues the matter needed to be continued indefinitely. No objections were filed to Johnson's request.

1 On June 19, 2007, by Procedural Order, Applicant's request for a continuance was granted
2 and the time clock in this matter was suspended.

3 On June 29, 2007, Johnson filed its Affidavit of Publication, stating that publication was
4 completed on June 14, 2007. Johnson also docketed a letter requesting that the July 9, 2007, hearing
5 date be reserved for public comment only.

6 On July 9, 2007, a public comment session was held.

7 On December 13, 2007, Johnson filed a Request to Set Hearing Date ("Request") stating it
8 had resolved the ADWR compliance issues and Johnson submitted a letter from ADWR authorizing
9 Johnson to continue approving and recording subdivision plats in the proposed extension area.

10 On December 19, 2007, by Procedural Order, Staff was directed to respond to Applicant's
11 Request to Set Hearing Date by January 14, 2008.

12 On January 14, 2008, Staff filed its Response to Johnson's Request to Set Hearing Date
13 stating that Staff has no objections to Applicant's request.

14 On February 12, 2008, by Procedural Order, the hearing was reset to commence on March 31,
15 2008.

16 On February 14, 2008, a telephonic procedural conference was held and the parties agreed to
17 continue the hearing.

18 On February 15, 2008, by Procedural Order, the hearing was continued to April 16, 2008, and
19 the timeclock remained suspended.

20 On March 3, 2008, Staff filed a Motion to Extend Time to file its Staff Report and to hire a
21 Staff witness until March 21, 2008. Staff's request for an extension of time until March 21, 2008
22 indicated Applicant does not oppose the extension. Staff and Applicant request that all other time
23 frames remain unchanged.

24 Accordingly, Staff's Motion to Extend Time is reasonable and should be granted.

25 IT IS THEREFORE ORDERED that Staff's Motion to Extend Time, until March 21, 2008, to
26 file its Staff Report, and to hire a Staff witness is hereby granted.

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

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 18th day of March, 2008.

5
6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 18th day of March, 2008 to:

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27 Secretary to Yvette B. Kinsey
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