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BEFORE THE ARIZONA CORPORATION COMMISSION

2008 APR 14 A 11: 50

COMMISSIONERS

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

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
**DOCKETED**  
APR 14 2008

DOCKETED BY  
*nr*

IN THE MATTER OF THE APPLICATION OF  
ASHCREEK WATER COMPANY FOR AN  
EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY.

DOCKET NO. W-02494A-07-0681

PROCEDURAL ORDER

**BY THE COMMISSION:**

On December 12, 2007, Ashcreek Water Company ("AWC" or "Company") filed with the Arizona Corporation Commission ("Commission") an Application for an Extension of its Certificate of Convenience and Necessity ("CCN" or "Certificate") to provide water service in Graham County, Arizona.

On January 10, 2008, the Commission's Utilities Division Staff ("Staff") notified the Company that its application was not sufficient pursuant to the Arizona Administrative Code.

On January 28, 2008, AWC responded to Staff's Insufficiency Letter.

On February 27, 2008, Staff notified the Company that its Application is sufficient pursuant to the Arizona Administrative Code.

By Procedural Order issued March 18, 2008, the hearing in this matter was scheduled to be held on May 9, 2008.

On April 1, 2008, Mr. Wyatt J. Palmer, counsel for Ashcreek Water Company filed a Motion to Withdraw as Attorney of Record, pursuant to Arizona Rules of Civil Procedure, Rule 5.1(a)(2), which permits an attorney to withdraw from a matter by written consent of the client. The request was signed by Bevan Barney, who is the Interim Manager of Ashcreek Water Company.

No objections to the Request have been filed.

Pursuant to A.A.C. R14-3-104.E and Rule 42 of the Rules of Arizona Supreme Court (Rules

1 of Professional Conduct ER 1.16), good cause having been shown, Mr. Palmer's Request should be  
2 granted.

3 IT IS THEREFORE ORDERED that the Motion to Withdraw as Attorney of Record by Mr.  
4 Wyatt J. Palmer is hereby granted.

5 IT IS FURTHER ORDERED that all dates and deadlines set forth in the March 18, 2008,  
6 Procedural Order remain in effect.

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.

9 IT IS FURTHER ORDERED that all parties must comply with Rule 31 and 38(a) of the Rules  
10 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*  
11 *hac vice*.

12 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
13 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
14 hearing.

15 DATED this 17<sup>th</sup> day of April, 2008.

  
BELINDA A. MARTIN  
ADMINISTRATIVE LAW JUDGE

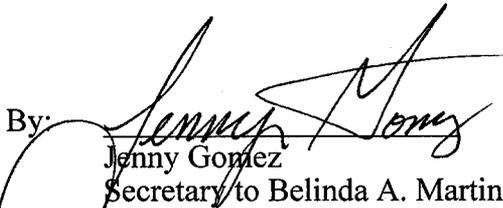
19 Copies of the foregoing mailed  
20 this 17<sup>th</sup> day of April, 2008 to:

21 Bevan Barney, Interim Manager  
22 ASHCREEK WATER COMPANY  
23 P.O. Box 825  
Thatcher, Arizona 85552

24 Wyatt J. Palmer, Esq.  
25 LAW OFFICES OF WYATT J. PALMER  
3136 Main Street  
Thatcher, Arizona 85552

26 Mr. Christopher Kempley, Chief Counsel  
27 Legal Division  
28 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Mr. Ernest Johnson, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

By:   
Jenny Gomez  
Secretary to Belinda A. Martin