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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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COMMISSIONERS

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

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

DOCKET NO. W-02304A-08-0149

PROCEDURAL ORDER

BY THE COMMISSION:

On March 11, 2008, Community Water Company of Green Valley ("CWGV" or "Company") filed an application with the Arizona Corporation Commission ("Commission") for an extension of its Certificate of Convenience and Necessity ("CC&N" or "Certificate") to serve the administrative offices of FreePort McMoran through facilities to be constructed by the developer/mine.

On April 11, 2008, Commission Utilities Division ("Staff") filed a Sufficiency Letter notifying the Company that its application met the requirements of A.A.C. R14-2-103.B.

Accordingly, the matter should be set for hearing.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be held on **June 26, 2008, at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's offices, **Room 222**, 400 West Congress St., Tucson, Arizona 85701.

IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **June 12, 2008**.

IT IS FURTHER ORDERED that CWGV shall serve public notice of the hearing in this matter, in the following form and style, with the heading in no less than 12 point bold type and the body in no less than 10 point regular type:

Arizona Corporation Commission

DOCKETED

APR 21 2008

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PUBLIC NOTICE OF HEARING ON APPLICATION BY
COMMUNITY WATER COMPANY OF GREEN VALLEY
FOR EXTENSION OF ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY
DOCKET NO. W-02304A-08-0149

On March 11, 2008, Community Water Company of Green Valley ("Company") filed an application with the Arizona Corporation Commission ("Commission") for an extension of its Certificate of Convenience and Necessity ("Certificate"). If the application is granted the Company would be the exclusive provider of water service within the requested extension area, and would be required to provide service on the terms and conditions as established by the Commission.

The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and in Tucson, at 400 West Congress Street, Suite 218, Tucson, Arizona, and at the offices of the Applicant, [APPLICANT INSERT ADDRESS]. The application is also available on the Commission's website, www.azcc.gov, using the e-Docket link.

The Commission will hold a hearing on this matter on **June 26, 2008, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's Tucson offices, **Room 222, 400 West Congress Street, Tucson, Arizona 85701.**

The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene in the proceedings and participate as a party. Persons desiring to intervene must file a written motion to intervene with the Commission and send such motion to Applicant or its counsel and to all parties of record. The motion must, at the minimum, contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different from that of the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer or potential customer of the Applicant, a member or shareholder of the Applicant, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **June 12, 2008**. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Arizona Corporation Commission's webpage at <http://www.azcc.gov/utility/forms/index.htm>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf.

If you have any questions about this application, you may contact Applicant at [APPLICANT insert contact name, address and telephone number]. If you want further information on intervention or have questions on how to file comments, you

1 may contact the Consumer Services Section of the Commission at 1200 West
Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

2 The Commission does not discriminate on the basis of disability in admission to its
3 public meetings. Persons with a disability may request a reasonable accommodation
4 such as a sign language interpreter, as well as request this document in an alternative
5 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-
3931, E-mail: LHogan@azcc.gov. Requests should be made as early as possible to
allow time to arrange the accommodation.

6 IT IS FURTHER ORDERED that CWGV shall publish the above notice in a newspaper of
7 general circulation within the proposed extended service territory, such publication to occur at least
8 twice and at least one week apart, and it shall mail to each property owner in the requested extended
9 service territory a copy of this notice by first-class U.S. Mail, to begin as soon as possible and to be
10 completed on or before **May 21, 2008**.

11 IT IS FURTHER ORDERED that CWGV shall file certifications of mailing and publication
12 as soon as practicable after the mailing and publication have been completed.

13 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and
14 publication, notwithstanding the failure of an individual customer to read or receive the notice.

15 IT IS FURTHER ORDERED that Staff shall **file its Staff Report** and associated exhibits to
16 be presented at the hearing on or before **June 3, 2008**.

17 IT IS FURTHER ORDERED that **any objection or response** by the Applicant or Intervenors
18 to the Staff Report shall be made in writing and filed on or before **June 17, 2008**.

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

21 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
22 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

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

26 ...
27 ...
28 ...

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

3 DATED this 17th day of April, 2008.

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6 
7 JANE L. RODDA
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed
10 this 17th day of April, 2008 to:

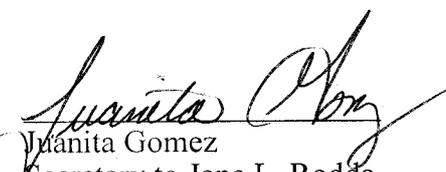
11 Mr. William D. Baker
12 Ellis & Baker, PC
13 7301 North 16th Street
14 Suite 103
15 Phoenix, Arizona 85020

16 Mr. Arturo Gabaldon
17 Community Water Company of Green Valley
18 1501 South La Canada Drive
19 Green Valley, Arizona 85614

20 Mr. Christopher Kempley, Chief Counsel
21 Legal Division
22 ARIZONA CORPORATION COMMISSION
23 1200 West Washington Street
24 Phoenix, Arizona 85007

25 Mr. Ernest Johnson, Director
26 Utilities Division
27 ARIZONA CORPORATION COMMISSION
28 1200 West Washington Street
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.
2200 North Central Avenue, Suite 502
Phoenix, Arizona 85004-1104

24
25 By: 
26 Juanita Gomez
27 Secretary to Jane L. Rodda
28