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BEFORE THE ARIZONA CORPORATION COMMISSION

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MIKE GLEASON, Chairman
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AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION
OF ANTELOPE LAKES SEWER, L.L.C. FOR
APPROVAL OF A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
PROVIDE SEWER SERVICES IN YAVAPAI
COUNTY, ARIZONA.

DOCKET NO. SW-20510A-07-0062

PROCEDURAL ORDER

BY THE COMMISSION:

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

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

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

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

On February 21, 2008, the Company filed certification that it had published notice of its application and hearing thereon pursuant to the Commission's Procedural Order. Additionally, Staff filed a Motion to Extend Time ("Motion") which stated that the Staff Report was due to be filed on March 5, 2008, but the Company was in the process of changing accountants and was requesting thirty days to respond to a data request from Staff. Due to this delay, Staff's Motion requested an extension to file the Staff Report until April 4, 2008. Staff further requested that the Company be

1 given until April 18, 2008, to file objections to the Staff Report and that the hearing be continued  
2 from March 27, 2008, to April 24, 2008. Further, Staff requested that intervention be permitted until  
3 the date of the hearing. The Company agreed with Staff's Motion.

4 On February 28, 2008, by Procedural Order, Staff's Motion was granted, and since public  
5 notice had already been provided by the Company, the hearing of March 27, 2008, would be used for  
6 the purpose of taking public comment only, and an evidentiary hearing scheduled for April 24, 2008.

7 On March 27, 2008, a full public hearing was convened before a duly authorized  
8 Administrative Law Judge of the Commission at its offices in Phoenix, Arizona. The Company and  
9 Staff appeared with counsel. No member of the public appeared to make public comment. The  
10 proceeding was recessed pending the commencement of the evidentiary proceeding scheduled for  
11 April 24, 2008.

12 On April 4, 2008, Staff filed its report recommending conditional approval of the application.

13 On April 18, 2008, the Company filed a Stipulated Motion to continue the proceeding for at  
14 least 90 days. Staff has agreed with this continuance. The parties further agreed that the evidentiary  
15 portion of the proceeding be scheduled after July 24, 2008.

16 Under the circumstances, the Stipulated Motion is reasonable and the continuance should be  
17 granted. However, if any changes are to be made with respect to the Staff Report, an amended Staff  
18 Report should be filed no later than two weeks before the rescheduled hearing.

19 **IT IS THEREFORE ORDERED** that the **evidentiary portion of the hearing** scheduled on  
20 April 24, 2008, **shall be continued to August 12, 2008**, at 9:30 a.m., or as soon thereafter as is  
21 practical, at the Commission's office, 1200 West Washington Street, Hearing Room 1, Phoenix,  
22 Arizona.

23 **IT IS FURTHER ORDERED** that **if revisions are made to the Staff Report, an amended**  
24 **Staff Report and associated exhibits** to be presented at Hearing on behalf of Staff shall be reduced  
25 to writing and filed on or before 4:00 p.m. on **July 29, 2008**.

26 **IT IS FURTHER ORDERED** that any objections to the amended Staff Report and associated  
27 exhibits, if filed, to presented at hearing by Applicant shall be reduced to writing and filed on or  
28 before 4:00 p.m. on **August 5, 2008**.

1 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R-14-3-  
2 105, except that all motions to intervene must be filed on or before **July 1, 2008**.

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

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

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

11 DATED this 21<sup>ST</sup> day of April, 2008.

  
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

17 Copies of the foregoing mailed/delivered  
18 this 21<sup>ST</sup> day of April, 2008 to:

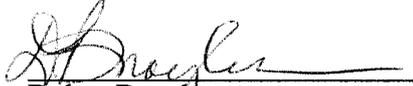
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By:   
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Secretary to Marc Stern