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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUN 6 2008

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
HATCH VALLEY WATER COMPANY FOR
APPROVAL OF THE SALE OF ASSETS AND/OR
FOR CANCELLATION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-01969A-08-0219

PROCEDURAL ORDER

BY THE COMMISSION:

On April 29, 2008, Hatch Valley Water Company ("HVWC" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for approval of the sale of assets and/or for cancellation of its Certificate of Convenience and Necessity ("Application"). The application states that residents and customers within HVWC's service territory petitioned to form the Hatch Valley Domestic Water Improvement District, which has been approved by the Mohave County Board of Supervisors.

On May 28, 2008, the Commission's Utilities Division ("Staff") filed a Sufficiency Letter in this docket indicating HVWC's Application had met the sufficiency requirements as outlined in the Arizona Administrative Code ("A.A.C.").

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be held on **July 31, 2008, at 10:00 a.m.**, or as soon thereafter as is practicable, at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix, Arizona 85007.

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 **July 11, 2008**.

IT IS FURTHER ORDERED that **objections to any Motions to Intervene** must be filed no

1 later than **July 21, 2008**.

2 IT IS FURTHER ORDERED that HVWC shall provide public notice of the hearing in this
3 matter, in the following form and style, with the heading no less than 10 point bold type and the body
4 no less than 10 point regular type:

5 **PUBLIC NOTICE OF THE HEARING ON THE APPLICATION OF**
6 **HATCH VALLEY WATER COMPANY FOR APPROVAL OF THE**
7 **SALE OF ASSETS AND/OR FOR CANCELLATION OF ITS**
8 **CERTIFICATE OF CONVENIENCE AND NECESSITY.**
9 **(Docket No. W-01969A-08-0219)**

10 On April 29, 2008, Hatch Valley Water Company ("HVWC" or "Applicant") filed
11 with the Arizona Corporation Commission ("Commission") an application for
12 approval of the sale of assets and/or for cancellation of its Certificate of Convenience
13 and Necessity. The Commission's Utilities Division ("Staff") has not yet made a
14 recommendation regarding HVWC's application, and the Commission is not bound by
15 the proposals made by HVWC, Staff, or any intervenors. The Commission will issue a
16 Decision regarding HVWC's application following consideration of testimony and
17 evidence presented at an evidentiary hearing. Copies of the application are available
18 at HVWC's offices [insert address] and the Commission's offices at 1200 West
19 Washington Street, Phoenix, Arizona, for public inspection during regular business
20 hours and on the internet via the Commission website (www.azcc.gov) using the e-
21 docket function.

22 The Commission will hold a hearing on this matter beginning **July 31, 2008, at 10:00**
23 **a.m.**, at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix,
24 Arizona. Public comments will be taken on the first day of the hearing. Written
25 public comments may be submitted via email (visit
26 <http://www.azcc.gov/utility/cons/index.htm> for instructions), or by mailing a letter
27 referencing Docket Number W-01969A-08-0219 to: Arizona Corporation
28 Commission, Consumer Services Section, 1200 West Washington Street, Phoenix,
Arizona 85007.

29 The law provides for an open public hearing at which, under appropriate
30 circumstances, interested parties may intervene. Any person or entity entitled by law
31 to intervene and having a direct and substantial interest in the matter will be permitted
32 to intervene. If you would like to intervene, you must file a written motion to
33 intervene with the Commission, and you must send copies of the motion to the
34 Company or its counsel, and to all parties of record in the case. Your motion to
35 intervene must contain the following:

- 36 1. Your name, address, and telephone number, and the name, address, and
37 telephone number of any party upon whom documents are to be served in your
38 place, if desired;
- 39 2. A short statement of your interest in the proceeding (e.g., a customer of the
40 Company, a shareholder of the Company, etc.); and
- 41 3. A statement certifying that a copy of your motion to intervene has been mailed
42 to the Company or its counsel and to all parties of record in the case.

43 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
44 that all motions to intervene must be filed on or before July 11, 2008. The granting of
45 intervention, among other things, entitles a party to present sworn evidence at hearing

1 and to cross-examine other witnesses. However, failure to intervene will not preclude
2 any person or entity from appearing at the hearing and making a statement on their
3 own behalf.

4 If you have any questions about this application, you may contact HVWC at [insert
5 **telephone number**]. If you wish to file written comments on the application or want
6 further information on intervention you may contact the Consumer Services Section of
7 the Commission at 1200 W. Washington Street, Phoenix, Arizona 85007, or call 1-
8 800-222-7000.

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

15 IT IS FURTHER ORDERED that HVWC shall **mail to each property owner or property**
16 **owner representative** in its CC&N service area a copy of the above notice and shall cause the above
17 notice to be **published in a newspaper of general circulation** in its service territory, with
18 publication and mailing to be completed no later than **June 27, 2008**.

19 IT IS FURTHER ORDERED that HVWC shall **file certification of mailing and publication**
20 as soon as practicable after the mailing/publication has been completed, but not later than **July 11,**
21 **2008**.

22 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and
23 publication of same, notwithstanding the failure of an individual property owner to read or receive
24 the notice.

25 IT IS FURTHER ORDERED that Staff shall file a **Staff Report** on or before **July 1, 2008**.

26 IT IS FURTHER ORDERED that any **objections to the Staff Report** shall be filed on or
27 before **July 11, 2008**.

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

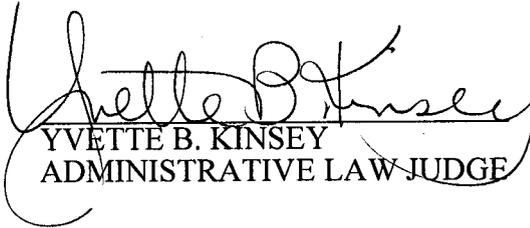
IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*
hac vice.

IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the

1 Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to
2 appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter
3 is scheduled for discussion, unless counsel has previously been granted permission to withdraw by
4 the Administrative Law Judge or the Commission.

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

8 Dated this 6th day of June 2008.

9
10
11 
12 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
14 this 6th day of June 2008 to:

15 Richard Schneider
16 HATCH VALLEY WATER COMPANY
HC 35, Box 271
Peach Springs, AZ 86434

17 Steve Wene
18 MOYES STOREY, LTD.
1850 North Central Avenue, Suite 1100
Phoenix, AZ 85004
19 Attorney for Hatch Valley Water Company

20 Janice Alward, Chief Counsel
21 Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
22 Phoenix, AZ 85007

23 Ernest G. Johnson, Director
24 Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
25 Phoenix, AZ 85007

26 ARIZONA REPORTING SERVICE, INC.
27 2200 North Central Avenue, Suite 502
Phoenix, AZ 85004-1481

By:


Debra Broyles
Secretary to Yvette B. Kinsey