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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

COMMISSIONERS

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JUL 25 2008

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

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

STAFF of the Utilities Division,

COMPLAINANT,

vs.

CIENEGA WATER COMPANY, INC.,

RESPONDENT.

DOCKET NO. W-02034A-08-0008

PROCEDURAL ORDER

BY THE COMMISSION:

On January 7, 2008, the Staff of the Utilities Division of the Arizona Corporation Commission ("Staff") filed with the Arizona Corporation Commission ("Commission") a Complaint ("Complaint") against Cienega Water Company, Inc. ("Respondent").

On April 3, 2008, a Pre-Hearing Conference was held, during which the parties agreed to enter into discussions about the resolution of the Complaint.

On May 2, 2008, a Pre-Hearing Conference was held during which Staff requested that a hearing date be set.

Pursuant to a Procedural Order dated May 8, 2008, a hearing date was set for August 5, 2008.

On July 23, 2008, the Respondent filed a request for a six-month continuance in order to continue its efforts to bring Cienega Water Company into compliance with Arizona Department of Environmental Quality requirements.

On July 23, 2008, Staff filed its Response to Request for Continuance. In its response, Staff opposed the Respondent's request for a continuance.

The Respondent appears to be diligently moving forward with its efforts to rectify the issues which are the basis of the Complaint. However, Staff is correct that a hearing should be held in this matter. As such, a continuance will be granted, but the Respondent's request for a six-month

1 continuance is denied. **The time and place currently set for the hearing on this matter will**
2 **remain and the parties shall appear for a status conference.** At that time, a new hearing date shall
3 be determined.

4 IT IS THEREFORE ORDERED that a **Procedural Conference shall be held on August 5,**
5 **2008, at 10:30 a.m.,** at the Commission's office, 1200 West Washington Street, Room 100, Phoenix,
6 Arizona, in order to discuss the status of this matter and to set a new hearing date and deadlines.

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

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

13 DATED this 24th day of July, 2008.

14 
15 BELINDA A. MARTIN
16 ADMINISTRATIVE LAW JUDGE

17 Copies of the foregoing mailed/delivered
18 this 24th day of July, 2008 to:

19 Eleanor Stephan
20 CIENEGA WATER CO., INC.
21 P.O. Box 3518
22 31806 Cienega Springs Road
23 Parker, Arizona 85344

24 Tricia Walker
25 TRICIA WALKER CONSULTING
26 601 Riverside Drive, Suite 5-C
27 Parker, Arizona 85344

28 Janice Alward, Chief Counsel
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By:



Jenny Gomez
Secretary to Belinda A. Martin