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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

2008 SEP 25 P 4: 29

Arizona Corporation Commission

DOCKETED

SEP 25 2008

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

CORP COMMISSION
DOCKET CONTROL

DOCKETED BY
MM

IN THE MATTER OF THE APPLICATION
OF JOHNSON UTILITIES, LLC, DBA
JOHNSON UTILITIES COMPANY FOR AN
INCREASE IN ITS WATER AND
WASTEWATER RATES FOR CUSTOMERS
WITHIN PINAL COUNTY, ARIZONA.

DOCKET NO. WS-02987A-08-0180

**MOTION TO REVISE
PROCEDURAL SCHEDULE**

On August 15, 2008, the Administrative Law Judge ("ALJ") issued a procedural order that established a hearing date of April 23, 2009, as well as a corresponding procedural schedule, for the above-captioned matter. Counsel for applicant Johnson Utilities, LLC ("Johnson Utilities") is also counsel for Sulphur Springs Valley Electric Cooperative, Inc. ("SSVEC") with regard to its application for a rate increase in Docket E-01575A-08-0328. The hearing in SSVEC's rate case is scheduled to commence on April 21, 2009, in Tucson, Arizona, and has a procedural schedule that is similar to this case.¹ Counsel for the Utilities Division Staff ("Staff") in this case is also counsel for Staff in the SSVEC rate case in Tucson, and has the same conflict. Consequently, as both matters are currently scheduled for the same week in different cities, counsel for Johnson Utilities requests an approximate two-week continuance of the hearing date in this case and a revised procedural schedule consistent with the new hearing date. In the event that the ALJ grants the requested continuance of the hearing date but elects to retain the existing filing dates in this case, counsel undersigned has stipulated with Staff counsel that

¹ This includes pre-hearing conferences scheduled for April 20, 2009, for both matters in different cities.

Snell & Wilmer
LLP
LAW OFFICES
One Arizona Center, 400 E. Van Buren
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1 the February 4, 2009, date for filing (i) the Staff Report and/or testimony and associated
2 exhibits and (ii) intervenor testimony and associated exhibits should be extended to
3 February 18, 2009.

4 Counsel for Johnson Utilities has discussed this filing with counsel for intervenor
5 Swing First Golf ("SFG"), and SFG's counsel does not oppose the requested continuance.
6 SFG's counsel notes that he has a rate case hearing at the Commission scheduled for the
7 week of May 11, 2009, but that the balance of the month is relatively clear.

8 In making this request for a short continuance, Johnson Utilities hereby agrees to a
9 tolling of the time-frame set forth in A.A.C. R14-2-103.B.11 for the number of days of the
10 continuance of the hearing date.

11 RESPECTFULLY SUBMITTED this 25th day of September, 2008.

12 SNELL & WILMER L.L.P.

13
14 BY 

15 Jeffrey W. Crockett
16 Bradley S. Carroll
17 One Arizona Center
18 400 E. Van Buren
19 Phoenix, AZ 85004-2202
20 Attorneys for Johnson Utilities, LLC

21 ORIGINAL and 13 copies filed this
22 25th day of September, 2008, with:

23 Docket Control
24 ARIZONA CORPORATION COMMISSION
25 1200 West Washington Street
26 Phoenix, Arizona 85004

1 COPIES of the foregoing hand-delivered this
2 25th day of September, 2008, to:

3 Teena Wolfe, Administrative Law Judge
4 Hearing Division
5 ARIZONA CORPORATION COMMISSION
6 1200 W. Washington Street
7 Phoenix, Arizona 85007

8 Robin Mitchell, Staff Attorney
9 Legal Division
10 ARIZONA CORPORATION COMMISSION
11 1200 W. Washington Street
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13 Ernest Johnson, Director
14 Utilities Division
15 ARIZONA CORPORATION COMMISSION
16 1200 W. Washington Street
17 Phoenix, Arizona 85007

18 COPIES of the foregoing sent via e-mail and first
19 class mail this 25th day of September, 2008, to:

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