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**BEFORE THE ARIZONA CORPORATION COMMISSION**

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Arizona Corporation Commission

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ARIZONA CORPORATION COMMISSION  
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COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF NORTHERN SUNRISE WATER COMPANY FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE IN COCHISE COUNTY, ARIZONA.

DOCKET NO. W-20453A-06-0247

IN THE MATTER OF THE APPLICATION OF SOUTHERN SUNRISE WATER COMPANY FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE IN COCHISE COUNTY, ARIZONA.

DOCKET NO. W-20454A-06-0248

IN THE MATTER OF THE JOINT APPLICATION OF NORTHERN SUNRISE WATER COMPANY AND SOUTHERN SUNRISE WATER COMPANY FOR THE APPROVAL OF SALE AND TRANSFER OF WATER UTILITY ASSETS, AND CANCELLATION OF CERTIFICATES OF CONVENIENCE AND NECESSITY, FOR MIRACLE VALLEY WATER COMPANY, COCHISE WATER COMPANY, HORSESHOE RANCH WATER COMPANY, CRYSTAL WATER COMPANY, MUSTANG WATER COMPANY, CORONADO ESTATES WATER COMPANY, AND SIERRA SUNSET WATER COMPANY, LOCATED IN COCHISE COUNTY, ARIZONA.

- DOCKET NOS.
- W-20453A-06-0251
  - W-20454A-06-0251
  - W-01646A-06-0251
  - W-01868A-06-0251
  - W-02235A-06-0251
  - W-02316A-06-0251
  - W-02230A-06-0251
  - W-01629A-06-0251
  - W-02240A-06-0251

**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On January 3, 2008, Northern Sunrise Water Company and Southern Sunrise Water Company (collectively "Applicants") filed with the Arizona Corporation Commission ("Commission") a "Compliance with Decision No. 68826." By their filing, Applicants seek to amend their Certificates of Convenience and Necessity ("CC&Ns") pursuant to Decision No. 68826 (June 29, 2006).

By Procedural Order dated February 28, 2008, the matter was set for hearing on July 8, 2008, and the Applicants were ordered to mail notice to the affected property owners.

1 Initial efforts to provide notice to the affected property owners resulted in confusion  
2 concerning the nature of the application as well as about which properties were included in the  
3 Applicants' requests to extend their service areas. It appears that some affected property owners did  
4 not receive notice and that others, whose property is not within the proposed extension area, did  
5 receive notice.

6 By Procedural Order dated July 2, 2008, the Commission suspended the procedural schedule  
7 and continued indefinitely the hearing originally set in this matter to commence on July 8, 2008. In  
8 addition, the Commission scheduled a Procedural Conference on July 8, 2008, for the purpose of  
9 discussing how to provide notice and establishing a new schedule for the proceeding.

10 By Procedural Order dated July 14, 2008, Applicants and the Commission's Utilities Division  
11 ("Staff") were ordered to mutually develop a proposed form of notice, such notice to include detailed  
12 maps to assist affected property owners determine the whether their property is sought to be included  
13 in the application. Staff and the Applicants were directed to file their proposed form of notice and  
14 their recommendations for how and to whom to distribute the notice. In addition, the Procedural  
15 Order provided that other interested parties would have at least ten (10) days to file objections or  
16 comments to the proposed form of notice and recommendations, and provided that the Hearing  
17 Division would schedule a Procedural Conference to discuss the adequacy of the form of notice and  
18 to establish other procedural guidelines in this matter, including, but not necessarily limited to setting  
19 a hearing date and deadline for intervention.

20 On October 16, 2008, Applicants and Staff filed a Notice of Filing Proposed Form of Public  
21 Notice and Maps, and recommended that the notice and maps be sent to those property owners  
22 located with in the requested service area. Staff and Applicants requested a procedural conference to  
23 determine the adequacy of the proposed form of public notice and maps. Previously, several  
24 Commissioners have expressed concern about the adequacy of notice in this matter. If any  
25 Commissioners have concerns about the newly recommended form of notice and maps, it would be  
26 beneficial if they would express those concerns prior to, or at, the scheduled Procedural Conference.

27 IT IS THEREFORE ORDERED that a **Procedural Conference** shall commence on  
28 **November 7, 2008, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices,

1 400 West Congress, **Room 222**, Tucson, Arizona 85701, for the purpose of discussing the adequacy  
2 of the proposed form of notice and maps and establishing a new schedule for the proceeding.

3 IT IS FURTHER ORDERED that parties **may participate telephonically** in the Procedural  
4 Conference. The telephone number to participate is **(602) 771-9951**.

5 IT IS FURTHER ORDERED that **interested parties**, as well as Commissioners shall **file any**  
6 **comments** on the proposed form of notice and/or maps **at or prior to the time of the November 7,**  
7 **2008**, Procedural Conference.

8 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
9 Communications) continues to apply to this proceeding.

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

12 Dated this 24<sup>th</sup> day of October, 2008.

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17 JANELL RODDA  
ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed  
19 this 24<sup>th</sup> day of October, 2008 to:

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21 Mr. Patrick Black  
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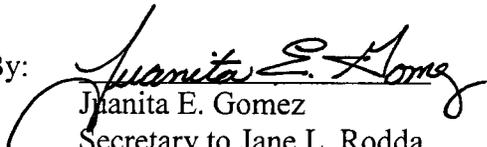
3 Mr. David Lease  
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15  
16 By:   
17 Juanita E. Gomez  
18 Secretary to Jane L. Rodda

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