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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

2008 OCT 30 A 10:24
 ARIZONA CORPORATION COMMISSION
 DOCKET CONTROL
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IN THE MATTER OF THE APPLICATION OF APPALOOSA WATER COMPANY FOR A RATE INCREASE.

DOCKET NO. W-03443A-08-0313

PROCEDURAL ORDER

BY THE COMMISSION:

On March 26, 2008, Appaloosa Water Company ("Appaloosa" or "Company") filed with the Arizona Corporation Commission ("Commission") an application in Docket No. W-0344A-08-0177 requesting authorization to seek financing to construct an arsenic treatment facility. Appaloosa's application requests authorization to finance approximately \$192,000, through the Water Infrastructure Financing Authority ("WIFA").

On June 20, 2008, Appaloosa filed an application with the Commission to increase its rates in Docket No. W-03443A-08-0313. Appaloosa's rate application states the Company is seeking an increase in its rates to cover increased administrative costs, increased property taxes, and the cost of a proposed arsenic treatment facility.

On July 1, 2008, Appaloosa filed an amendment to its rate application.

On July 21, 2008, the Commission's Utilities Division ("Staff") filed a Letter of Deficiency in the rate application docket.

On July 29, 2008, Appaloosa filed a third amendment to its rate application.

On August 7, 2008, Appaloosa filed a fourth amendment to its rate application.

On September 8, 2008, Staff filed a Second Letter of Deficiency in the rate application docket.

On September 17, 2008, Mr. Charles R. Larson, Jr., CPA, filed a letter on behalf of Appaloosa, clarifying some of the numbers reported in Appaloosa's rate application.

1 On October 17, 2008, Staff filed a Letter of Sufficiency stating that Appaloosa's rate
2 application had met the sufficiency requirements as outlined in A.A.C. R14-2-103 and that
3 Appaloosa had been classified as a Class C utility.

4 On October 21, 2008, Staff filed a Motion to Consolidate Docket No. W-03443A-08-0313 and
5 Docket No. W-03443A-08-0177, stating that the matters are substantially related and consolidation
6 will not prejudice the rights of the parties.

7 A procedural conference should be held to discuss consolidation of Docket Nos.
8 W-03443A-08-0313 and W-03443A-08-0177, the appropriate procedural schedule, and whether
9 resolution of the issues will require a hearing.

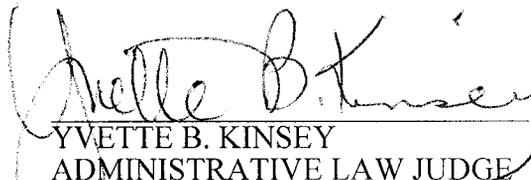
10 IT IS THEREFORE ORDERED that a **telephonic procedural conference** shall be held on
11 **November 17, 2008, at 10:00 a.m.**, or as soon thereafter as is practicable. To participate, each party
12 shall call **602-771-9951**.

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

16 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
17 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
18 Rules of the Arizona Supreme Court). Representation before the Commission includes the obligation
19 to appear at all hearings and procedural conferences, as well as all Open Meetings for which the
20 matter is scheduled for discussion, unless counsel has previously been granted permission to
21 withdraw by the Administrative Law Judge or the Commission.

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

25 DATED this 30th day of October, 2008.

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YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered
2 this 30th day of October, 2008 to:

3 Joe Cordovana
4 APPALOOSA WATER COMPANY
5 7012 North 18th Street
6 Phoenix, Arizona 85020-5502

7 Janice Alward, Chief Counsel
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13 Ernest Johnson, Director
14 Utilities Division
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19 2200 North Central Avenue, Suite 502
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21 By: 
22 Debra Broyles
23 Secretary to Yvette B. Kinsey
24
25
26
27
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