



0000091941

ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

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

2008 DEC 17 A 9:28
AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED
DEC 17 2008

DOCKETED BY *mn*

IN THE MATTER OF THE APPLICATION OF
CROSS CREEK RANCH COMMUNITY
ASSOCIATION, AN ARIZONA NON-PROFIT
CORPORATION, FOR AN ADJUDICATION
OF “NOT A PUBLIC SERVICE
CORPORATION” STATUS.

DOCKET NO. W-20619A-08-0470

IN THE MATTER OF CROSS CREEK RANCH
WATER COMPANY’S APPLICATION FOR
APPROVAL OF ASSIGNMENT OF ASSETS
VIA DISSOLUTION TO THE CROSS CREEK
RANCH COMMUNITY ASSOCIATION,
PURSUANT TO ARIZONA REVISED
STATUTES 40-285, AND DELETION OF THE
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-04131A-08-0471
DOCKET NO. W-20619A-08-0471

PROCEDURAL ORDER

BY THE COMMISSION:

On September 8, 2008, the Cross Creek Ranch Community Association (the “Association”) filed an application with the Arizona Corporation Commission (“Commission”) for Adjudication Not a Public Service Corporation.

On the same date, Cross Creek Ranch Water Company (the “Water Company”) filed an application, in Docket No. W-20619A-08-0471, with the Commission for approval to transfer its water utility assets to its sole shareholder, the Association.

On September 19, 2008, the Association filed the legal description for the Cross Creek Ranch subdivision.

On the same date, the Association filed a Motion to Consolidate the above-captioned matter with the application to transfer assets (“Motion”). The Motion stated that the two matters are inextricably linked and that their consolidation would be administratively efficient and judicially economical.

1 On September 22, 2008, the Association filed a Notice of Errata, which provided a revised
2 legal description.

3 On October 7, 2008, the Commission's Utilities Division ("Staff") filed an Insufficiency
4 Letter in W-04131A-08-0471 and W-20619A-08-0471.

5 On October 29, 2008, the Water Company docketed responses to Staff's Insufficiency Letter
6 in W-04131A-08-0471 and W-20619A-08-0471.

7 On November 28, 2008, Staff filed an Insufficiency Letter in W-20619A-08-0470.

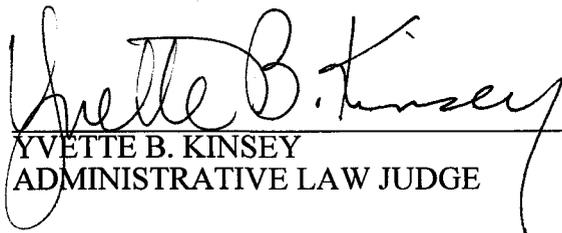
8 On November 28, 2008, Staff filed a second Insufficiency Letter in W-04131A-08-0471 and
9 W-20619A-08-0471.

10 On December 3, 2008, the Water Company docketed responses to Staff's Insufficiency Letter
11 in W-20619A-08-0470.

12 On December 11, 2008, Staff filed its Response to the Motion to Consolidate. Staff believes
13 that granting the consolidation will aid the Commission in its evaluation of both applications and will
14 not prejudice the rights of the parties.

15 IT IS THEREFORE ORDERED that the Company's Motion to Consolidate is hereby granted
16 and that Docket Nos. W-20619A-08-0470, W-04131A-08-0471 and W-20619A-08-0471 are hereby
17 consolidated for purposes of hearing.

18 Dated this 17th day of December, 2008.

19
20
21 
22 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

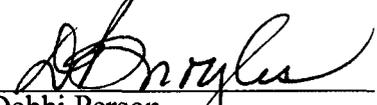
23 Copies of the foregoing mailed/delivered
24 this 17th day of December, 2008 to:

25 Patrick J. Black
26 Sarah A. Kubiak
27 FENNEMORE CRAIG, PC
3003 North Central Avenue, Suite 2600
Phoenix, AZ 85012-2913
Attorneys for Cross Creek Ranch Water Company, Inc.

28

1 Janice Alward, Chief Counsel
Legal Division
2 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
3 Phoenix, AZ 85007

4 Ernest G. Johnson, Director
Utilities Division
5 ARIZONA CORPORATION COMMISSION
1200 West Washington
6 Phoenix, AZ 85007

7 By: 
8 *Joe* Debbi Person
Secretary to Yvette B. Kinsey

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28