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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

DEC 29 2008

DOCKETED BY [signature]

IN THE MATTER OF THE APPLICATION OF
WILHOIT WATER COMPANY, INC., YAVAPAI
MOBILE HOME ESTATES SYSTEM, FOR AN
EMERGENCY RATE INCREASE.

DOCKET NO. W-02065A-08-0592

PROCEDURAL ORDER

BY THE COMMISSION:

On December 10, 2008, Wilhoit Water Company, Inc., Yavapai Mobile Home Estates System ("Company" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application requesting an emergency rate increase of approximately 100 percent by doubling its base rates and its gallonage charges because the Company indicated that, due to a lack of potable water production from its two wells, all of its water is being purchased from the City of Prescott ("City"). The current cost of water purchased from the City greatly exceeds the Company's current revenues from its customers. As a result, a hearing will commence on February 26, 2009 at 9:30 a.m. to hear the above-captioned matter.

Pursuant to A.A.C. R14-3-101, the Commission makes the following orders governing the preparation and conduct of this matter.

IT IS THEREFORE ORDERED that Wilhoit Water Company, Inc., Yavapai Mobile Home Estates System shall provide public notice of the Commission's hearing to determine if an emergency exists pursuant to Attorney General Opinion No. 71-17 and if an emergency increase should be granted, which hearing shall begin at the Commission's offices at 1200 West Washington Street, Room 100, Phoenix, Arizona on **February 26, 2009 at 9:30 a.m.**, or as soon thereafter as the matter can be heard.

IT IS FURTHER ORDERED that the following notice shall be mailed to each customer and posted in a public place (i.e., the Company's service area) located in Wilhoit Water Company,

1 Inc.'s, Yavapai Mobile Home Estates System, service area on or before **January 16, 2009** with
 2 Wilhoit Water Company, Inc. to file with the Commission certification of public notice as soon
 3 thereafter as is practical:

4
 5 **NOTICE OF A REQUEST FOR AN APPROXIMATE 100 PERCENT**
 6 **EMERGENCY RATE INCREASE BY WILHOIT WATER COMPANY, INC., YAVAPAI**
 7 **MOBILE HOME ESTATES SYSTEM**
 8 **(DOCKET NO. W-02065A-08-0592)**

9 WILHOIT WATER COMPANY, INC., YAVAPI MOBILE HOME ESTATES
 10 SYSTEM, HAS REQUESTED THE ARIZONA CORPORATION
 11 COMMISSION SET A HEARING TO DETERMINE IF AN APPROXIMATE
 12 100 PERCENT EMERGENCY RATE INCREASE SHOULD BE GRANTED.

13 THE COMMISSION WILL HOLD A PUBLIC EVIDENTIARY HEARING AT
 14 THE COMMISSION'S OFFICES AT 1200 WEST WASHINGTON STREET,
 15 ROOM 100, PHOENIX, ARIZONA ON FEBRUARY 26, 2009, AT 9:30 A.M.
 16 CUSTOMERS CAN ATTEND THE HEARING AND MAKE PUBLIC
 17 COMMENT, OR FILE WRITTEN COMMENTS WITH THE COMMISSION.
 18 INTERESTED PARTIES MAY INTERVENE THROUGH FEBRUARY 17,
 19 2009. IF YOU DESIRE MORE INFORMATION ON HOW TO INTERVENE
 20 OR SUBMIT PUBLIC COMMENT, CONTACT THE COMMISSION'S
 21 CONSUMER SERVICES SECTION AT 1-800-222-7000. THE APPLICATION
 22 AND ALL FILINGS ARE AVAILABLE ON THE INTERNET VIA THE
 23 COMMISSION WEBSITE (WWW.AZCC.GOV) USING THE E-DOCKET
 24 FUNCTION.

25 The Commission does not discriminate on the basis of disability in admission to
 26 its public meetings. Persons with a disability may request a reasonable
 27 accommodation such as sign language interpreter, as well as request this
 28 document in an alternative format, by contacting Linda Hogan, ADA Coordinator,
 voice phone number 602-542-3931, E-mail lghogan@azcc.gov. Requests should
 be made as early as possible to allow time to arrange the accommodation.

29
 30 IT IS FURTHER ORDERED that the Company **shall file with the Commission's**
 31 **Docket Control no later than February 6, 2009, certification that public notice was given in**
 32 **accordance with this Procedural Order.**

33 IT IS FURTHER ORDERED that notice in accordance with this Procedural Order shall be
 34 deemed complete upon the mailing and public posting of notice, notwithstanding the failure of an
 35 individual customer to read or receive the notice.

36 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized

1 Communications) applies to this proceeding as the matter is now set for public hearing.

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

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

7 DATED this 29TH day of December, 2008.



MARC E. STERN
ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed/delivered
12 This 27TH day of December 2008 to:

13
14 Jim West
15 MARTIN & BELL, L.L.C
16 365 E. Coronado Rd., Suite 200
17 Phoenix, AZ 85004
18 Attorneys for Wilhoit Water Company, Inc.

19 Janice Alward, Chief Counsel
20 Legal Division
21 ARIZONA CORPORATION COMMISSION
22 1200 West Washington Street
23 Phoenix, AZ 85007

24 ARIZONA REPORTING SERVICE, INC.
25 2200 N. Central Ave., Suite 502
26 Phoenix, AZ 85004-1481

27 By: Debbi Person
28 Debbi Person
Secretary to Marc E. Stern