



0000093104

BEFORE THE ARIZONA CORPORATION C
RECEIVED

KRISTIN K. MAYES
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2009 JAN 26 P 4:00

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

JAN 26 2009

DOCKETED BY *[Signature]*

IN THE MATTER OF THE APPLICATION OF
MONTEZUMA RIMROCK WATER COMPANY,
LLC FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-04254A-08-0361

**STAFF'S MOTION TO
CONSOLIDATE AND SUSPEND
TIME CLOCK FOR 60 DAYS**

On July 16, 2008, Montezuma Rimrock Water Company, LLC ("Company") filed an application for an order authorizing the issuance of a Water Infrastructure and Finance Authority ("WIFA") Promissory Note in the amount of \$150,000 for the purpose of constructing an arsenic treatment facility (Docket No. W-04254A-08-0362).

On July 16, 2008, the Company also filed an application for a rate increase (Docket No. W-04254A-08-0361). On January 20, 2009, the Staff of the Utilities Division ("Staff") issued a letter of sufficiency and sent out its first set of data requests to the Company, with a response due within ten days of its receipt. Due to resource limitations, the Company has requested an additional three weeks to respond to the data request and, further, indicated that additional time would likely be needed to respond to any subsequent data requests.

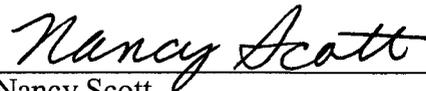
On January 23, 2009, the Administrative Law Judge assigned to these matters issued a Procedural Order, directing the parties to provide their opinions on whether consolidation of the two dockets should be ordered and directing Staff to indicate whether an extension of the deadline for the Staff Report would be needed.

Pursuant to R14-3-109(H), Staff respectfully requests that Docket Nos. W-04254A-08-0361 and W-04254A-08-0362 be consolidated. Staff believes that consolidation is appropriate, since these two dockets are intricately related. Any long-term debt which the Company acquires will need to be reflected in the Company's capital structure for rate case purposes. Staff has talked to the Company

1 about consolidation of the two dockets, the Company has no objection, and no party's rights would
2 be prejudiced.

3 Staff has also discussed with the Company the issue of extending the existing deadline. Due
4 to the Company's request for an additional three weeks to respond to the first data request and its
5 expectation that a similar delay would be necessary for any additional data requests, both parties
6 hereby request that the time clock be suspended for sixty days to allow sufficient time for the
7 Company to respond to data requests and for Staff to complete its Staff Report.

8 RESPECTFULLY SUBMITTED this 26th day of January, 2009.

9
10 

11 Nancy Scott
12 Attorney, Legal Division
13 Arizona Corporation Commission
14 1200 West Washington Street
15 Phoenix, Arizona 85007
16 (602) 542-6020

17 The original and thirteen (13) copies
18 of the foregoing were filed this
19 26th day of January, 2009, with:

20 Docket Control
21 Arizona Corporation Commission
22 1200 West Washington Street
23 Phoenix, Arizona 85007

24 Copy of the foregoing mailed this
25 26th day of January, 2009, to:

26 Patricia Olsen
27 Montezuma Rimrock Water Company, LLC
28 P.O. Box 10
4599 E. Goldmine Rd.
Rimrock, Arizona 86335

29 