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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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

FEB -2 2009

2009 FEB -2 P 3: 34

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKET NO. W-01580A-07-0707

IN THE MATTER OF THE APPLICATION OF
TONGO VILLAGE WATER COMPANY, INC.
RATE APPLICATION FOR WATER COMPANIES
WITH ANNUAL GROSS OPERATING
REVENUES (INCLUDING REQUESTED RATE
RELIEF) OF LESS THAN \$250,000.

DOCKET NO. W-01580A-08-0209

IN THE MATTER OF THE APPLICATION OF
TONGO VILLAGE WATER COMPANY, INC.
FOR APPROVAL OF A FINANCING
APPLICATION.

PROCEDURAL ORDER

BY THE COMMISSION:

On December 27, 2008, Tonto Village Water Company, Inc. ("Tonto Village" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for an increase in rates in Docket No. W-01580A-07-0707 ("Rate Case").

On January 22, 2008, the Company filed a Certification of Publication in the Rate case docket.

On January 25, 2008, the Commission's Utilities Division Staff ("Staff") filed a Letter of Deficiency in the Rate Case, and directed Tonto Village to supplement its application.

On January 29, 2008, the Tonto Village Domestic Water Improvement District ("District") filed Motion to Intervene in the Rate Case.

On February 25, 2008, Tonto Village filed additional information in support of its rate application.

On March 26, 2008, Staff filed a Letter of Sufficiency, pursuant to A.A.C. R14-2-103.B.7, and classified Tonto Village as a Class D water utility.

On April 22, 2008, Tonto Village filed with the Commission a financing application in Docket No. W-01580A-08-0209 ("Finance Case").

1 On May 2, 2008, the Tonto Village Domestic Water Improvement District (“District”) filed a
2 letter regarding communications between the District and Ron Standage, the Company’s president.
3 The District’s letter described concerns with respect to negotiations regarding its efforts to acquire
4 the Company’s assets. The District also filed on May 2, 2008, a Motion to Intervene in the Finance
5 Case.

6 On May 6, 2008, Mr. Standage, on behalf of Tonto Village, filed a letter in response to the
7 District’s letter. The Company also filed on May 6, 2008, an Affidavit of Mailing Customer Notice
8 in the Finance Case.

9 On May 7, 2008, Staff filed a Motion to Suspend the Timeclock in the Rate Case, based on
10 delayed responses to data requests by the Company and its request for consolidation with the Finance
11 Case docket.

12 On May 19, 2008, a Procedural Order was issued consolidating the above-captioned dockets,
13 granting Staff a 60-day extension of time to file its Staff Report, and extending the time clock by 60
14 days for the Rate Case docket.

15 On June 5, 2008, Staff filed a Motion to Suspend Timeclock due to requests by Tonto Village
16 for additional time to respond to Staff data requests. Given the repeated delays in responses by the
17 Company, Staff sought an indefinite extension of the applicable time clock rules.

18 By Procedural Order issued June 6, 2008, Staff’s Motion was granted and the applicable
19 timeclock rules were suspended indefinitely pending a subsequent ruling.

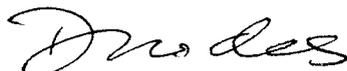
20 IT IS THEREFORE ORDERED that Staff shall file, by February 16, 2009, a status report
21 regarding the above-captioned dockets, including a recommendation as to whether the pending Rate
22 Case and Finance Case applications should be dismissed for failure prosecute the applications.

23 IT IS FURTHER ORDERED that Tonto Village shall file a response to Staff’s
24 recommendation by no later than February 26, 2009.

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28 ...

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

4 DATED this 2nd day of February, 2009.

5
6 
7 _____
8 DWIGHT D. NODES
9 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered
11 this 2nd day of February, 2009 to:

12 Ronald D. Standage
13 TONTO VILLAGE WATER CO., INC.
14 P.O. Box 9116
15 Mesa, Arizona 85214-9116

16 John G. Gliege
17 GLIEGE LAW OFFICES, PLLC
18 P.O. Box 1388
19 Flagstaff, AZ 86002-1388

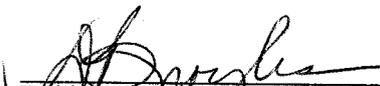
20 Harry D. Jones, District Manager
21 TONTO VILLAGE DOMESTIC
22 WATER IMPROVEMENT DISTRICT
23 HC7, Box 363
24 Payson, Arizona 85541-9710

25 James Widger
26 HC7, Box 192-P
27 Payson, Arizona 85541-9791

28 Jerry Lewinson
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By: 
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Assistant to Dwight D. Nodes