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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
GLOBAL WATER – PICACHO COVE UTILITIES  
COMPANY FOR AN EXTENSION OF ITS  
EXISTING CERTIFICATE OF CONVENIENCE  
AND NECESSITY.

DOCKET NO. SW-20494A-09-0016

IN THE MATTER OF THE APPLICATION OF  
GLOBAL WATER – PICACHO COVE WATER  
COMPANY FOR AN EXTENSION OF ITS  
EXISTING CERTIFICATE OF CONVENIENCE  
AND NECESSITY.

DOCKET NO. W-20495A-09-0016

**PROCEDURAL ORDER SETTING A  
HEARING**

**BY THE COMMISSION:**

On January 16, 2009, Global Water – Picacho Cove Utilities Company (“Picacho Utilities”) and Global Water – Picacho Cove Water Company (“Picacho Water”)(collectively “Global Utilities”) jointly filed with the Arizona Corporation Commission (“Commission”) an application for approval of an extension of their respective Certificates of Convenience and Necessity (“CC&Ns”). The application requests approval to extend the respective CC&Ns to include approximately 2,295 acres.

On February 11, 2009, the Commission’s Utilities Division (“Staff”) filed a Sufficiency Letter in this docket stating that Global Utilities’ application had met the sufficiency requirements as outlined in the Arizona Administrative Code (“A.A.C.”).

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall commence on **April 22, 2009, at 10:00 a.m.**, or as soon thereafter as is practicable, at the Commission’s offices, 1200 West Washington, Room 100, Arizona 85007.

IT IS FURTHER ORDERED that Picacho Utilities and Picacho Water shall provide public notice of the hearing in this matter, in the following form and style with the heading in no less than

1 12-point bold type and the body in no less than 10-point regular type:

2        **PUBLIC NOTICE OF HEARING ON THE JOINT APPLICATION OF**  
3        **GLOBAL WATER – PICACHO COVE UTILITIES COMPANY AND**  
4        **GLOBAL WATER – PICACHO COVE WATER COMPANY FOR APPROVAL**  
5        **TO EXTEND THEIR RESPECTIVE CERTIFICATES OF CONVENIENCE**  
6        **AND NECESSITY IN PINAL COUNTY.**  
7        **DOCKET NOS. SW-20494A-09-0016 AND W-20495A-09-0016**

8 On January 16, 2009, Global Water – Picacho Cove Utilities Company (“Picacho  
9 Utilities”) and Global Water – Picacho Cove Water Company (“Picacho Water”)(  
10 collectively “Global Utilities”) jointly filed an application with the Arizona  
11 Corporation Commission (“Commission”) for approval to extend their respective  
12 Certificates of Convenience and Necessity (“CC&Ns”) to include approximately 2,295  
13 acres in Pinal County. The Commission’s Utilities Division Staff (“Staff”) has not yet  
14 made a recommendation regarding the application, and the Commission is not bound  
15 by the proposals made by Global Utilities, Staff or any intervenors. The Commission  
16 will issue a Decision regarding the application following consideration of testimony  
17 and evidence presented at an evidentiary hearing. A copy of the application is  
18 available at Global Utilities offices [insert addresses] and at the Commission’s offices  
19 at 1200 West Washington Street, Phoenix, Arizona, for public inspection during  
20 regular business hours, and on the internet via the Commission website  
21 ([www.azcc.gov](http://www.azcc.gov)) using the e-docket function.

22 The Commission will hold a hearing on the application on **April 22, 2009, at 10:00**  
23 **a.m.**, at the Commission’s offices, in Hearing Room 100, 1200 West Washington  
24 Street, Phoenix, Arizona. Public comments will be taken on the first day of the  
25 hearing. Written public comments may be submitted by mailing a letter referencing  
26 Docket Nos. W-20494A-09-0016 and W-20495A-09-0016 to Arizona Corporation  
27 Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ  
28 85007, or via e-mail.

For a form to use and instructions on how to e-mail comments to the Commission, go  
to [http://www.azcc.gov/divisions/utilities/forms/public\\_comment.pdf](http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf). If you require  
assistance, you may contact the Consumer Services Section at 1-800-222-7000 or 602-  
542-4251.

The law provides for an open public hearing at which, under appropriate  
circumstances, interested parties may intervene. Any person or entity entitled by law  
to intervene and having a direct and substantial interest in the matter will be permitted  
to intervene. If you wish to intervene, you must file an original and 13 copies of a  
written motion to intervene with the Commission no later than **March 30, 2009**, and  
send a copy of the motion to the Global Utilities or their counsel and to all parties of  
record. Your motion to intervene must contain the following:

1. Your name, address, and telephone number and the name, address, and  
telephone number of any party upon whom service of documents is to  
be made, if not yourself;
2. A short statement of your interest in the proceeding (e.g., a customer of  
Global Utilities, etc.); and

- 1 3. A statement certifying that you have mailed a copy of the motion to  
2 intervene to the Global Utilities or their counsel and to all parties of  
3 record in the case.

4 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
5 that all motions to intervene must be filed on or before **March 30, 2009**. If  
6 representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme  
7 Court, intervention will be conditioned upon the intervenor's obtaining counsel to  
8 represent the intervenor. For information about requesting intervention, visit the  
9 Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>.  
10 The granting of intervention, among other things, entitles a party to present sworn  
11 evidence at hearing and to cross-examine other witnesses. However, failure to  
12 intervene will not preclude any interested person or entity from appearing at the  
13 hearing and providing public comment on the applications or from filing written  
14 comments in the record of the case.

15 The Commission does not discriminate on the basis of disability in admission to its  
16 public meetings. Persons with a disability may request a reasonable accommodation  
17 such as a sign language interpreter, as well as request this document in an alternative  
18 format, by contacting the ADA Coordinator Shaylin Bernal, E-mail  
19 [Sbernal@azcc.gov](mailto:Sbernal@azcc.gov), voice phone number 602/542-3931. Requests should be made as  
20 early as possible to allow time to arrange the accommodation.

21 IT IS FURTHER ORDERED that Picacho Utilities and Picacho Water shall **mail** to all  
22 property owners in the proposed extension area a copy of the above notice and shall cause the above  
23 notice to be published at least once in newspaper of general circulation in the proposed extension  
24 area, with **publication and mailing** to be completed no later than **March 9, 2009**.

25 IT IS FURTHER ORDERED that Picacho Utilities and Picacho Water shall **file certification**  
26 **of mailing and publication** as soon as practicable after mailing/publication has been completed, but  
27 not later than **March 31, 2009**.

28 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing/ publication,  
notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that the **Staff Report** and associated exhibits, available at the  
time the Staff Report is filed, to be presented at hearing shall be reduced to writing and filed on or  
before **March 20, 2009**.

IT IS FURTHER ORDERED that any objections to the Staff Report shall be reduced to  
writing and filed on or before **April 13, 2009**.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,  
except that all motions to intervene must be filed on or before **March 30, 2009**.

1 IT IS FURTHER ORDERED that any objections to any Motions to Intervene shall be filed on  
2 or before **April 13, 2009**.

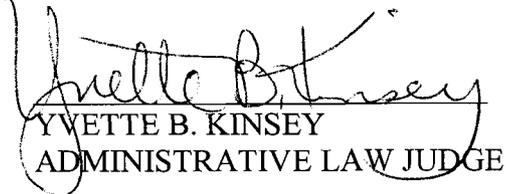
3 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
4 Communications) applies to this proceeding as the matter is now set for public hearing, and shall  
5 remain in effect until the Commission's Decision in this matter is final and non-appealable.

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

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

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

17 DATED this 23<sup>rd</sup> day of February, 2009.

18  
19   
20 YVETTE B. KINSEY  
21 ADMINISTRATIVE LAW JUDGE

22 Copies of the foregoing mailed  
23 this 23<sup>rd</sup> day of February, 2009, to:

24 Michael W. Patten  
25 ROSHKA, DEWULF & PATTEN PLC  
26 One Arizona Center  
27 400 E. Van Buren, Suite 800  
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Attorneys for Global Water – Picacho Cove  
Utilities Company and Global Water – Picacho  
Cove Water Company

1 Janice Alward, Chief Counsel  
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4 1200 West Washington Street  
5 Phoenix, Arizona 85007

6 Ernest G. Johnson  
7 ARIZONA CORPORATION COMMISSION  
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9 Phoenix, Arizona 85007

10 ARIZONA REPORTING SERVICE, INC.  
11 2200 North Central Avenue, Suite 502  
12 Phoenix, AZ 85004-1481

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By:   
Debra Broyles  
Secretary to Yvette B. Kinsey