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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION
DOCKET CONTROL

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2 COMMISSIONERS

3 KRISTIN K. MAYES, Chairman
4 GARY PIERCE
5 PAUL NEWMAN
6 SANDRA D. KENNEDY
7 BOB STUMP

8 IN THE MATTER OF THE APPLICATION OF
9 APPALOOSA WATER COMPANY FOR
10 FINANCING AUTHORIZATION.

DOCKET NO. W-03443A-08-0177

11 IN THE MATTER OF THE APPLICATION OF
12 APPALOOSA WATER COMPANY FOR A RATE
13 INCREASE.

DOCKET NO. W-03443A-08-0313

PROCEDURAL ORDER

11 **BY THE COMMISSION:**

12 On March 26, 2008, Appaloosa Water Company ("Appaloosa" or "Company") filed with the
13 Arizona Corporation Commission ("Commission") an application requesting authorization to seek
14 financing to construct an arsenic treatment facility. Appaloosa's application requests authorization to
15 finance approximately \$192,000, through the Water Infrastructure Financing Authority of Arizona
16 ("WIFA").

17 On June 20, 2008, in Docket No. W-03443A-08-0313 Appaloosa filed an application with the
18 Commission to increase its rates. Appaloosa's rate application states the Company is seeking an
19 increase in its rates to cover increased administrative costs, increased property taxes, and the cost of a
20 proposed arsenic treatment facility.

21 On December 5, 2008, by Procedural Order, the finance and rate case dockets were
22 consolidated for purposes of hearing, and the hearing on the consolidated matters was set to
23 commence on April 21, 2009. The Procedural Order also directed Appaloosa to mail to each of its
24 customers and publish notice of the applications and hearing date on or before January 5, 2009.
25 Further, the Procedural Order directed Appaloosa to docket certification it had provided notice by
26 January 30, 2009. To date, Appaloosa has not filed certification indicating it has published notice
27 and mailed notice to its customers regarding the applications and hearing date in this matter and as set
28 forth in the Procedural Order.

1 On January 29, 2009, John E. Blann, Jr. filed a Request to Intervene ("Request") in the
2 proceedings. The Request states Mr. Blann is a residential customer of the Company and has an
3 interest in the proposed rate increases.

4 No objections have been filed regarding Mr. Blann's request to intervene.

5 IT IS THEREFORE ORDERED that Mr. John Blann, is hereby granted intervention in these
6 proceedings.

7 IT IS FURTHER ORDERED that **Appaloosa shall docket by March 10, 2009**, certification
8 that notice of the applications and hearing date has been mailed to each of its customers, posted at
9 each of its standpipes, and published in a newspaper of general circulation in its service territory in
10 accordance with the December 5, 2008, Procedural Order.

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

14 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
15 Communications) applies to this proceeding and shall remain in effect until the Commission's
16 Decision in this matter is final and non-appealable.

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

19
20 DATED this 2nd day of March, 2009.

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23
24 Yvette B. Kinsey
ADMINISTRATIVE LAW JUDGE
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1 Copies of the foregoing mailed/delivered
2 this 2nd day of March, 2009 to:

3 Joe Cordovana
4 APPALOOSA WATER COMPANY
5 7012 North 18th Street
6 Phoenix, AZ 85020

7 John E. Blann, Jr.
8 2925 Harrison Drive
9 Chino Valley, AZ 86323

10 Janice Alward, Chief Counsel
11 Kevin Torrey, Attorney
12 Legal Division
13 ARIZONA CORPORATION COMMISSION
14 1200 West Washington Street
15 Phoenix, Arizona 85007

16 Ernest Johnson, Director
17 Utilities Division
18 ARIZONA CORPORATION COMMISSION
19 1200 West Washington Street
20 Phoenix, Arizona 85007

21 By: 
22 Debra Broyles
23 Secretary to Yvette B. Kinsey
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