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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

2009 MAR -2 P 2: 31

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

MAR - 2 2009

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION
OF Q MOUNTAIN WATER, INC. FOR AN
EMERGENCY RATE INCREASE.

DOCKET NO. W-02800A-09-0076

PROCEDURAL ORDER

BY THE COMMISSION:

On February 20, 2009, Q Mountain Water, Inc. ("Q Mountain") filed with the Arizona Corporation Commission ("Commission") an application requesting emergency rate relief to increase its cash flow in order to cover operating expenses and increase water availability to its customers. Q Mountain specifically requested an emergency rate increase of \$12.50 per customer, per month. Accordingly, a hearing must be scheduled in this matter.

IT IS THEREFORE ORDERED that a hearing to determine whether an emergency exists pursuant to Arizona Attorney General Opinion No. 71-17 and whether an emergency rate increase should be granted shall commence on April 3, 2009, at 10:00 a.m., or as soon thereafter as is practicable, at the Commission's offices, 1200 West Washington Street, in Commissioner's 2nd Floor Conference Room, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the Staff Report and/or any testimony and associated exhibits, available at the time the Staff Report is filed, shall be reduced to writing and filed on or before March 23, 2009.

IT IS FURTHER ORDERED that Q Mountain shall file its Response to the Staff Report or Staff testimony with the Commission's Docket Control by March 30, 2009. However, failure to file a written response will not preclude Q Mountain from presenting its response verbally at the hearing.

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1 IT IS FURTHER ORDERED that **Q Mountain shall, on or before March 23, 2009**, cause
 2 the following **public notice** to be (1) **mailed to each of its customers**, (2) **posted in a conspicuous**
 3 **area at its office**, and (3) **posted in a conspicuous area at each of its standpipe locations**.

4 **PUBLIC NOTICE OF THE HEARING ON Q MOUNTAIN, INC.'S**
 5 **APPLICATION FOR AN EMERGENCY RATE INCREASE**
 6 **(Docket No. W-02800A-09-0076)**

7 Q Mountain Water, Inc. ("Q Mountain") has requested that the Arizona Corporation
 8 Commission determine whether an emergency rate increase of \$12.50 per customer,
 9 per month, should be granted. The Commission will determine whether an emergency
 10 exists and may, based on the evidence presented at hearing, deny the request or
 11 approve a rate either higher or lower than that requested by Q Mountain.

12 The Commission will hold a **public hearing** on this request beginning **April 3, 2009,**
 13 **at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, in the 2nd
 14 Floor Commissioner's Conference Room, Phoenix, Arizona. Customers may attend
 15 the hearing and make public comments or file written comments with the
 16 Commission. Written comments may be submitted by e-mail or by mailing a letter
 17 referencing Docket No. W-02800A-09-0076 to Arizona Corporation Commission,
 18 Consumer Services Section, 1200 West Washington St., Phoenix, AZ 85007

19 For a form to use and instructions on how to e-mail comments to the Commission, go
 20 to http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf. If you require
 21 assistance, you may contact the Consumer Services Section at 602-542-4251 or 1-800-
 22 222-7000.

23 Interested parties may intervene by filing a written motion to intervene with the
 24 Commission no later than **March 30, 2009**. If representation by counsel is required
 25 by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be
 26 conditioned upon the intervenor obtaining counsel to represent the intervenor. For
 27 information about requesting intervention, visit the Commission's website at
 28 <http://www.azcc.gov/divisions/utilities/forms/interven.pdf> or contact the
 Commission's Consumer Services Section at 602-542-4251 or 1-800-222-7000.
 Failure to intervene will not preclude a customer from appearing at the hearing and
 making a statement on the customer's own behalf.

The application and all filings are available on the Commission's website
 (www.azcc.gov) using the e-Docket function.

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

IT IS FURTHER ORDERED that Q Mountain shall, **no later than March 30, 2009**, file with
 the Commission's Docket Control **certification that the public notice was mailed and posted in**
 accordance with this Procedural Order.

IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-

1 105, except that all motions to intervene must be filed on or before **March 30, 2009**.

2 IT IS FURTHER ORDERED that notice in accordance with this Procedural Order shall be
3 deemed complete upon mailing, notwithstanding the failure of an individual customer to read or
4 receive the notice.

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

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

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

13 Dated this 2nd day of March, 2009.

14
15 
16 YVETTE B. KINSEY
17 ADMINISTRATIVE LAW JUDGE

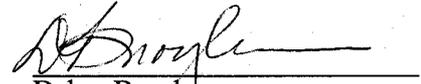
18 Copies of the foregoing mailed/delivered
19 this 2nd day of March, 2009 to:

20 Robert A. Kelley, Jr., President
21 Q MOUNTAIN MOBILE HOME PARK HOA
22 P.O. Box 4930
23 Quartzsite, AZ 85359

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

24 Janice Alward, Chief Counsel
25 Legal Division
26 ARIZONA CORPORATION COMMISSION
27 1200 West Washington Street
28 Phoenix, AZ 85007

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

By: 
Debra Broyles
Secretary to Yvette B. Kinsey