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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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

AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
DS WATER COMPANY FOR APPROVAL OF A
RATE INCREASE.

DOCKET NO. W-04049A-08-0339

PROCEDURAL ORDER

BY THE COMMISSION:

On July 3, 2008, DS Water Company ("DSWC") filed with the Arizona Corporation Commission ("Commission") an application for a rate increase, requesting an increase in revenues of \$7,914.14, or approximately 18 percent of annual operating revenues for the 2007 test year. DSWC stated that it has always operated at a loss and showed a loss of \$111,792.80 for the test year. DSWC stated that it had mailed notice to each of its customers contemporaneously with filing its application.

On July 10, 2008, comments were filed by a customer opposing the rate increase as excessively high.

On August 1, 2008, the Commission's Utilities Division Staff ("Staff") issued a Letter of Deficiency.

On September 15, 2008, DSWC filed deficiency corrections.

On October 14, 2008, Staff issued a Second Letter of Deficiency.

On November 6, 2008, DSWC filed deficiency corrections.

On December 8, 2008, Staff issued a Third Letter of Deficiency.

On January 28, 2009, DSWC filed deficiency corrections.

On February 27, 2009, Staff issued a Letter of Sufficiency, classifying DSWC as a Class D utility.

On April 27, 2009, Staff filed a Motion to Suspend Time Clock, stating that Staff had issued a set of data requests to DSWC on February 27, 2009, with a due date of March 9, 2009, to which DSWC has not yet responded. Staff stated that DSWC has requested multiple extensions of time to

1 respond and has indicated that the responses will be provided the week of April 27, 2009, but that this
2 will not allow Staff sufficient time to complete and file its Staff Report by the due date of May 13,
3 2009. Staff requested that the deadline to file the Staff Report be extended by 90 days and stated that
4 DSWC has informed Staff that it does not object to such an extension.

5 In light of the delay in DSWC's providing responses to Staff's data requests, and the fact that
6 DSWC does not object to an extension, it is appropriate to extend by 90 days both the deadline to file
7 the Staff Report and the overall time frame in this case.

8 IT IS THEREFORE ORDERED that **Staff's deadline to file the Staff Report in this matter**
9 **is hereby extended by 90 days.**

10 IT IS FURTHER ORDERED that **the Commission's deadline to issue a decision in this**
11 **matter is hereby extended by 90 days.**

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

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 29th day of April, 2009.

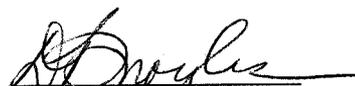
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19
20 
21 SARAH N. HARPRING
ADMINISTRATIVE LAW JUDGE

22 Copies of the foregoing mailed/delivered
23 this 29th day of April, 2009, to:

24 Rick Holm, President
Post Office Box 786
Desert Springs, Arizona 86432

25 Janice Alward, Chief Counsel
26 Legal Division
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27 1200 West Washington Street
Phoenix, Arizona 85007

Ernest Johnson, Director
Utilities Division
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28 By: 
Debra Broyles
Secretary to Sarah N. Harpring