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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

COMMISSIONERS

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KRISTIN K. MAYES, Chairman
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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION
OF PINEVIEW WATER COMPANY, INC.
FOR APPROVAL OF AN INCREASE IN ITS
WATER RATES.

DOCKET NO. W-01676A-08-0366

**AMENDED RATE CASE
PROCEDURAL ORDER**

BY THE COMMISSION:

On July 18, 2008, Pineview Water Company, Inc. ("Pineview" or "Company") filed the above-captioned rate application with the Arizona Corporation Commission ("Commission").

On May 8, 2009, the Commission issued a Rate Case Procedural Order to govern the preparation and conduct of this proceeding.

On May 12, 2009, the Commission's Utilities Division Staff ("Staff") filed a Notice of Filing Staff's Clarifying Comments to Procedural Order. Therein, Staff stated that the form of notice ordered by the May 8, 2009, Rate Case Procedural Order did not include the time of the hearing, which is scheduled to commence on November 2, 2009.

This Amended Rate Case Procedural Order is now issued in order to correct the omission of the starting time for the November 2, 2009, hearing in the form of public notice that the Company is required to provide.

IT IS THEREFORE ORDERED that the Company shall provide public notice of the hearing in this matter, in the following form and style with the heading in no less than 12 point bold type and the body in no less than 10 point regular type:

**PUBLIC NOTICE OF HEARING ON THE RATE APPLICATION
OF PINEVIEW WATER COMPANY, INC.
(Docket No. W-01676A-08-0366)**

Summary:

On July 18, 2008, Pineview Water Company, Inc. ("Company") filed a rate application with the Arizona Corporation Commission. **The application did not specify a requested rate increase amount.**

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1 The Commission's Utilities Division Staff is in the process of auditing and
 2 analyzing the Company's records but has not yet made a recommendation
 3 regarding the Company's rate proposal. The Commission's Utilities Division
 4 Staff will file a recommendation to the Commission on the Company's
 application on September 4, 2009, and copies of that filing will be available at
 the Commission's offices in the Docket Control Center for public inspection
 after that date. **If the recommendation of Staff is for a rate increase,
 additional notice will be provided to customers at that time.**

5 The Commission will determine the appropriate relief to be granted based on the
 6 evidence of record in the proceeding. The Commission is not bound by the
 proposals made by the Company, Staff, or any intervenors and therefore, the
 7 final rates approved may differ from the rates requested by the Company.

How You Can View or Obtain a Copy of the Rate Proposal:

8 Copies of the application and proposed tariffs are available at the Company's
 9 offices at [INSERT COMPANY ADDRESS] and the Commission's offices at
 10 1200 West Washington, Phoenix, Arizona, for public inspection during regular
 business hours and on the internet via the Commission website (www.azcc.gov)
 using the e-docket function.

Arizona Corporation Commission Public Hearing Information:

11 The Commission will hold a **hearing** on this matter beginning **November 2,**
 12 **2009, at 10:00 a.m.,** at the Commission's offices, 1200 West Washington,
 Phoenix, Arizona.

13 Public comments will be taken on the first day of the hearing. Written public
 14 comments may be submitted via email, or by mailing a letter referencing Docket
 Number **W-01676A-08-0366** to: Arizona Corporation Commission, Consumer
 15 Services Section, 1200 West Washington, Phoenix, AZ 85007 (visit
 16 <http://www.azcc.gov/divisions/utilities/forms/publiccomment.pdf> for a form and
 instructions). If you require assistance, you may contact the Consumer Services
 Section of the Commission at 602-542-4251 or 1-800-222-7000.

About Intervenor Status:

17 The law provides for an open public hearing at which, under appropriate
 18 circumstances, interested parties may intervene. Any person or entity entitled by
 19 law to intervene and having a direct and substantial interest in the matter will be
 20 permitted to intervene. If you desire to intervene, you must file an original and
 13 copies of a written motion to intervene with the Commission no later than
October 23, 2009. You must also send a copy of the motion to intervene to the
 Company or its counsel and to all parties of record. Your motion to intervene
 must contain the following:

- 21 1. Your name, address, and telephone number and the name, address and
 22 telephone number of any party upon whom service of documents is to be made if
 23 not yourself.
- 24 2. A short statement of your interest in the proceeding (e.g., a customer of the
 Company, a shareholder of the Company, etc.).
- 25 3. A statement certifying that you have mailed a copy of the motion to
 26 intervene to the Company or its counsel and to all parties of record in the case.

27 The granting of motions to intervene shall be governed by A.A.C. R14-3-105,
 except that **all motions to intervene must be filed on or before October 23,**
 28 **2009**. If representation by counsel is required by Rule 31 of the Rules of the
 Arizona Supreme Court, intervention will be conditioned upon the intervenor

1 obtaining counsel to represent the intervenor. For information about requesting
2 intervention, visit the Arizona Corporation Commission's webpage at
3 <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of
4 intervention, among other things, entitles a party to present sworn evidence at
5 hearing and to cross-examine other witnesses. However, failure to intervene will
6 not preclude any customer from appearing at the hearing and providing public
7 comment on the application or from filing written comments in the record of the
8 case.

9 **ADA/Equal Access Information:**

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

16 IT IS FURTHER ORDERED that the Company shall **mail to each of its customers** a copy of
17 the above notice as a bill insert beginning with the first billing cycle in **June 2009, or by special
18 mailing concluding no later than June 30, 2009**, and shall cause the above notice to be **published
19 at least once in a newspaper of general circulation** in its service territory, with publication to be
20 completed no later than **June 30, 2009**.

21 IT IS FURTHER ORDERED that the Company shall file **certification of mailing and
22 publication** as soon as practicable, but **not later than July 15, 2009**.

23 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and
24 publication of same, notwithstanding the failure of an individual customer to read or receive the
25 notice.

26 IT IS FURTHER ORDERED that all other procedural requirements set forth in the May 8,
27 2009 Rate Case Procedural Order remain in effect.

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

IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to
appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter

1 is scheduled for discussion, unless counsel has previously been granted permission to withdraw by
2 the Administrative Law Judge or the Commission.

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

6 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
7 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

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

10 DATED this 13th day of May, 2009.

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13 
14 TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

15 Copies of the foregoing mailed/delivered
16 this 13th day of May, 2009 to:

17 Ronald L. McDonald, General Manager
18 PINEVIEW WATER COMPANY, INC.
5198 Club Lake Road
Show Low, Arizona 85901

19 Janice Alward, Chief Counsel
20 Legal Division
ARIZONA CORPORATION COMMISSION
21 1200 West Washington Street
Phoenix, Arizona 85007

22 Ernest Johnson, Director
23 Utilities Division
ARIZONA CORPORATION COMMISSION
24 1200 West Washington Street
Phoenix, Arizona 85007

25 ARIZONA REPORTING SERVICE, INC.
26 2200 North Central Avenue, Suite 502
Phoenix, Arizona 85004-1481

27 By: 
Debra Broyles
28 Secretary to Teena Wolfe