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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 MAY 15 A 10: 56

AZ CORP COMMISSION  
DOCKET CONTROL

FIDENCE DEVELOPMENT, LLC  
Complainant,  
v.  
ARIZONA-AMERICAN WATER COMPANY,  
Respondent.

DOCKET NO. W-01303A-09-0097

PROCEDURAL ORDER

**BY THE COMMISSION:**

On March 2, 2009, Fidence Development, LLC ("Complainant") filed with the Arizona Corporation Commission ("Commission") a Formal Complaint ("Complaint") against Arizona-American Water Company ("AZ-American" or "Respondent").

On March 11, 2009, counsel for AZ-American filed a Notice of Appearance.

On March 25, 2009, the parties filed a joint Notice of Stipulated Extension, stating that the parties agree to extend the time for AZ-American to file its Answer to the Complaint until April 8, 2009.

On April 8, 2009, the parties filed a second joint Notice of Stipulated Extension, stating that the parties agree to extend the time for AZ-American to file its Answer to the Complaint until April 15, 2009.

On April 17, 2009, AZ-American filed its Answer to the Complaint.

Accordingly, a Procedural Conference should be held to discuss a procedural schedule for this matter.

Arizona Corporation Commission  
DOCKETED

MAY 15 2009

DOCKETED BY

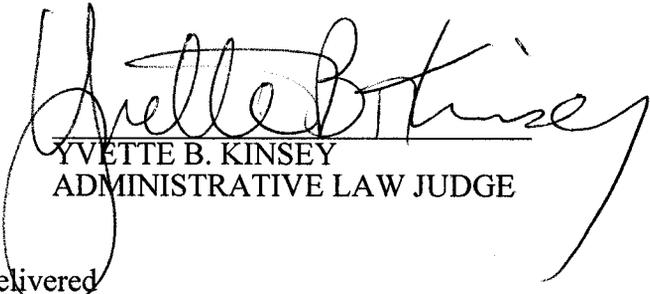
1 IT IS THEREFORE ORDERED that a **Procedural Conference** shall commence on **June 2,**  
2 **2009, at 1:30 p.m.,** or as soon as practicable thereafter, at the Commission's offices, 1200 West  
3 Washington Street, Room 100, Phoenix, Arizona.

4 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
5 Communications) applies to this proceeding.

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

12 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
13 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
14 hearing.

15 DATED this 15<sup>th</sup> day of May, 2009.

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18   
19 YVETTE B. KINSEY  
20 ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed/delivered  
this 15<sup>th</sup> day of May, 2009 to:

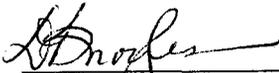
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8 Phoenix, Arizona 85004

9  
10 By:   
Debra Broyles  
Secretary to Yvette B. Kinsey

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