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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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

AUG 14 2009

AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
Q MOUNTAIN MOBILE HOME PARK FOR AN  
EMERGENCY RATE INCREASE.

DOCKET NO. W-02518A-09-0076

PROCEDURAL ORDER

**BY THE COMMISSION:**

On February 20, 2009, Q Mountain Mobile Home Park ("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. Specifically, Q Mountain's application requests a monthly emergency rate increase of \$12.50 per customer.

On March 2, 2009, by Procedural Order, the hearing on the emergency rates was set for April 3, 2009, and other procedural deadlines were established.

On March 23, 2009, the Commission's Utilities Division ("Staff") filed a Staff Report recommending conditional approval of the emergency rates.

On March 25, 2009, Q Mountain filed certification that notice of the hearing date had been mailed to all property owners on March 21, 2009.

On March 27, 2009, William P. Sullivan, Esq. filed a Notice of Initial Appearance.

On the same date, Mr. Sullivan filed on behalf of Q Mountain a Motion to Continue Hearing and Conduct Public Comment and Procedural Conference in Lieu Thereof ("Motion"). The Motion requested that the hearing be continued to allow Mr. Sullivan to familiarize himself with the issues in the case. Further, the Motion stated that the emergency rates requested by Q Mountain may be unnecessary.

On April 2, 2009, Q Mountain filed a Motion and Notice of Intent to Appear Telephonically.

1 On April 3, 2009, the hearing began as scheduled before a duly authorized Administrative  
2 Law Judge ("ALJ") of the Commission. Staff and Q Mountain appeared through counsel and several  
3 members of the public appeared to give public comments. At the request of Q Mountain, the  
4 evidentiary portion of the hearing was continued and Q Mountain stated it would make a filing  
5 updating the Commission on the status of the case by May 1, 2009.

6 On April 10, 2009, Larry Holman and Vernon L. Byrd, filed Motions to Intervene.

7 To date, Q Mountain has not filed an update and accordingly Q Mountain should be ordered  
8 to file an update in this matter.

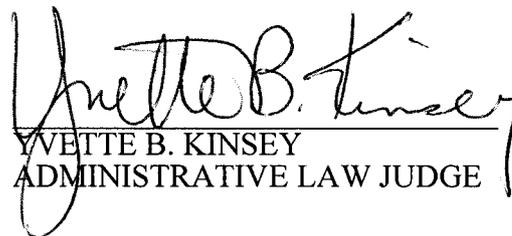
9 IT IS THEREFORE ORDERED that **Q Mountain shall file an update on the status of its**  
10 **application** on or before **September 30, 2009**.

11 IT IS FURTHER ORDERED that the timeclock in this matter remains suspended.

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

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 14<sup>th</sup> day of August, 2009.

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20   
21 YVETTE B. KINSEY  
22 ADMINISTRATIVE LAW JUDGE  
23  
24

25 Copies of the foregoing mailed/delivered  
26 this 14<sup>th</sup> day of August, 2009 to:

27 Robert A. Kelley, Jr., President  
28 Q MOUNTAIN MOBILE HOME PARK HOA  
P.O. Box 4930  
Quartzsite, AZ 85359

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11 Phoenix, AZ 85007

12 Steve Olea, Director  
13 Utilities Division  
14 ARIZONA CORPORATION COMMISSION  
15 1200 West Washington Street  
16 Phoenix, AZ 85007

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By:   
Debra Broyles  
Secretary to Yvette B. Kinsey