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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES - Chairman
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SANDRA D. KENNEDY
BOB STUMP

2009 JUL 23 P 12: 36

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUL 23 2009

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
PARK WATER COMPANY, INC. FOR AN
EMERGENCY RATE INCREASE.

DOCKET NO. W-02353A-09-0328

IN THE MATTER OF THE APPLICATION OF
PARK WATER COMPANY, INC. FOR
APPROVAL OF A FINANCING APPLICATION

DOCKET NO. W-02353A-09-0329

PROCEDURAL ORDER

On June 26, 2009, Park Water Company ("Park Water" or "Applicant" or "Company") filed with the Arizona Corporation Commission ("Commission") an application seeking authority for approval to obtain a Water Infrastructure Finance Authority ("WIFA") loan in the amount of \$169,819, to deepen the Company's existing well and upgrade its water pressure system.

On June 29, 2009, the Applicant filed an application with the Commission requesting an emergency interim rate surcharge due to a recent water outage, which required the Company to incur additional costs of \$28,244 related to cleaning the well, repairing the pump, and hauling water to customers during the outage. The Company's application indicates that due to its narrow operating margin, its need to upgrade its existing well, storage, and distribution system, an emergency surcharge of \$24.48 per customer is needed.

On July 15, 2009, by Procedural Order, a procedural conference was scheduled for July 22, 2009.

On July 22, 2009, a procedural conference was held as scheduled, with Staff and the Company participating, and procedural timeframes were discussed. The parties agreed that consolidation of the two dockets for purposes of hearing is reasonable.

Accordingly, these matters should be consolidated and a hearing should be scheduled.

25

1 IT IS THEREFORE ORDERED that the above-captioned dockets shall be consolidated for
2 purposes of hearing.

3 IT IS FURTHER ORDERED that a **hearing** to determine whether an emergency exists
4 pursuant to Arizona Attorney General Opinion No. 71-17 and whether an emergency rate increase
5 should be granted shall commence on **September 3, 2009, at 1:00 p.m.**, or as soon thereafter as is
6 practicable, in Room 100 at the Commission's offices, 1200 West Washington Street, Phoenix,
7 Arizona 85007.

8 IT IS FURTHER ORDERED that the financing approval requested in the consolidated
9 application shall also be considered at the hearing.

10 IT IS FURTHER ORDERED that the **Staff Report and/or any testimony and associated**
11 **exhibits** to be presented at hearing on behalf of Staff shall be reduced to writing and filed with the
12 Commission's Docket Control on or before **August 17, 2009**.

13 IT IS FURTHER ORDERED that **Park Water shall file its Response to the Staff Report**
14 with the Commission's Docket Control on or before **August 24, 2009**. However, failure to file a
15 written response will not preclude Park Water from presenting its response verbally at the hearing.

16 IT IS FURTHER ORDERED that **Park Water shall**, on or before **July 31, 2009**, cause the
17 following public notice to be **(1) mailed to each of its customers, and (2) posted in a conspicuous**
18 **area at its offices**.

19
20 **PUBLIC NOTICE OF THE HEARING ON**
21 **PARK WATER COMPANY'S REQUEST FOR**
22 **EMERGENCY INTERIM RATES AND APPROVAL OF FINANCING.**
23 **(DOCKET NOS. W-02353A-09-0328 AND W-02353A-09-0329)**

24 On June 26, 2009, Park Water Company ("Park Water") filed with the Arizona
25 Corporation Commission ("Commission") an application seeking authority to obtain a
26 Water Infrastructure Finance Authority ("WIFA") loan in the amount of \$169,819, to
27 cover the cost of deepening Park Water's existing well and upgrading its water pressure
28 system. On June 29, 2009, Park Water filed an application with the Commission
requesting approval of an interim emergency rate surcharge of \$24.48 per customer to
cover costs of \$28,244 related to cleaning the well, repairing the pump, and hauling water
to customers during a recent water outage.

Commission Staff has not yet made a recommendation on the interim emergency rate
surcharge or on approval of the financing request. The Commission will make a
determination of whether an emergency exists and may approve an interim rate either

1 higher or lower than that requested based on the evidence presented at hearing and will
2 make a determination whether approval of the financing request is in the public interest.

3 The **public hearing** will begin at the Commission's offices at 1200 West Washington
4 Street, Room 100, Phoenix, Arizona on **September 3, 2009 at 1:00 p.m.** Customers may
5 attend the hearing and make public comments or file written comments with the
6 Commission. Written comments may be submitted by e-mail or by mailing a letter
7 referencing Docket Nos. W-02353A-09-0328 and W-02353A-09-0329 to:

8 Arizona Corporation Commission
9 Consumer Services Section
10 1200 West Washington Street
11 Phoenix, Arizona 85007

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

16 Interested parties may intervene by filing a written motion to intervene. The granting of
17 motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to
18 intervene must be filed on or before August 24, 2009. If representation by counsel is
19 required by Rule 31 of the rules of the Arizona Supreme Court, intervention will be
20 conditioned upon the intervenor obtaining counsel to represent the intervenor. For
21 information about requesting intervention, visit the Commission's webpage at
22 <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention,
23 among other things, entitles a party to present sworn evidence at the hearing and to cross-
24 examine other witnesses. However, failure to intervene will not preclude any customer
25 from appearing at the hearing and making a statement on such customer's own behalf.

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

28 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
sign language interpreter, as well as request this document in an alternative format, by
contacting Guadalupe Ortiz, ADA Coordinator, voice phone number 602-542-3931, E-
mail gnortiz@azcc.gov. Requests should be made as early as possible to allow time to
arrange the accommodation.

IT IS FURTHER ORDERED that **Park Water** shall file with the Commission's Docket
Control **no later than August 10, 2009**, 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. R14-3-105,
except that **all motions to intervene must be filed on or before August 24, 2009**.

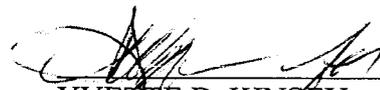
IT IS FURTHER ORDERED that notice in accordance with this Procedural Order shall be
deemed complete upon mailing, notwithstanding the failure of an individual customer to read or
receive the notice.

IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules

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

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

6 DATED this 23rd day of July, 2009.

7
8
9 
10 YVETTE B. KINSEY
11 ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed
12 this 23rd day of July, 2009, to:

13 Patricia O'Connor, President
14 PARK WATER COMPANY
15 P.O. Box 16173
16 Phoenix, Arizona 85011

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

22 Ernest G. Johnson
23 ARIZONA CORPORATION COMMISSION
24 1200 West Washington Street
25 Phoenix, Arizona 85007

26 ARIZONA REPORTING SERVICE, INC.
27 2200 North Central Avenue, Suite 502
28 Phoenix, AZ, 85004-1481

By: 
Debra Broyles
Secretary to Yvette B. Kinsey