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BEFORE THE ARIZONA CORPORATION COMMISSION
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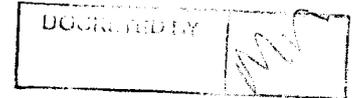
2009 OCT -6 P 4: 33

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

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OCT - 6 2009



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8 IN THE MATTER OF THE APPLICATION OF
9 LITCHFIELD PARK SERVICE COMPANY,
10 AN ARIZONA CORPORATION, FOR A
11 DETERMINATION OF THE FAIR VALUE OF
ITS UTILITY PLANTS AND PROPERTY AND
FOR INCREASES IN ITS WASTEWATER
RATES AND CHARGES FOR UTILITY
SERVICE BASED THEREON.

Docket No. SW-01428A-09-0103

12 IN THE MATTER OF THE APPLICATION OF
13 LITCHFIELD PARK SERVICE COMPANY,
14 AN ARIZONA CORPORATION, FOR A
15 DETERMINATION OF THE FAIR VALUE OF
ITS UTILITY PLANTS AND PROPERTY AND
16 FOR INCREASES IN ITS WATER RATES
AND CHARGES FOR UTILITY SERVICE
BASED THEREON.

Docket No. W-01427A-09-0104

**RUCO'S MOTION TO RECONSIDER ITS REQUEST TO CONTINUE
HEARING FOR ONE WEEK**

18 The Residential Utility Consumer Office ("RUCO") through undersigned counsel
19 respectfully requests the Administrative Law Judge ("ALJ") reconsider the decision to deny
20 RUCO's request to continue the hearing scheduled for January 4, 2010 for one week. The
21 ALJ denied the request on the mistaken belief that RUCO's newly assigned counsel
22 unduly delayed making the request for four months. The undersigned counsel received
23 verbal notification that she would be assigned the case on or about August 5, 2009.
24 Although the undersigned attempted to secure approval of the assigned Staff counsel, the

1 assigned Staff Member left the legal department to assume other duties within the
2 Commission. Thereafter, the undersigned became involved in the preparation of and
3 participation in the ten-day hearing in Arizona Water and the subsequent proceedings in
4 Far West and Chaparral and was unable to follow up on the Staff reassignment. RUCO
5 only learned that Mr. Torrey would be assigned to the case on or about September 25,
6 2009.¹ RUCO attempted to secure Mr. Torrey's agreement, as well as the agreement of
7 Mr. Shapiro, immediately thereafter. RUCO's counsel did not unduly delay filing the
8 request to continue.

9 The ALJ expressed concern that continuing the hearing might require rescheduling
10 for several weeks due to the unavailability of hearing space. Before making the request,
11 RUCO contacted the hearing department and requested room availability. Although
12 RUCO was advised of the conflict in the main hearing room due to the Commission's open
13 meeting, RUCO was advised on September 25, 2009, that the small hearing room on the
14 first floor was available for hearing during the entire week of January 11, 2009.

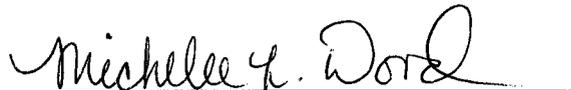
15 On a more personal level, the undersigned counsel's family lives in Maine.
16 Although she has visited her family every year at the same time for the past 16 years, this
17 year the visit is more imperative. The undersigned's parents are elderly and in poor
18 health. Her father, who had open-heart surgery in 2008, was also hospitalized for a week
19 in September 2009 and will undergo surgery in October 2009. The undersigned wishes to
20 visit her parents as soon as possible, but her ability to do so is limited by her minor son's
21 academic calendar which includes a winter break between December 19, 2009 to January
22

23 _____
24 ¹ EdoCKET Staff Assignment page attached as Exhibit A indicates that Mr. Torrey and Ms. Mitchell were assigned on or about October 2, 2009.

1 4, 2010. The undersigned counsel, respectfully requests the ALJ to reconsider his
2 decision so she will not have to shorten or forgo this family visit.

3 Because the parties have agreed to the continuance and for all the reasons set forth
4 above and in the original motion to continue, RUCO requests that the ALJ reconsider the
5 matter and: 1.) continue the hearing until January 11, 2009 and 2.) establish a rejoinder
6 deadline of January 4, 2010 and a pre-trial conference on January 8, 2010 as requested
7 by LPSCO as a condition of their agreement.

8 RESPECTFULLY SUBMITTED this 6th day of October 2009

9 
10 Michelle L. Wood
11 Counsel

12 AN ORIGINAL AND FIFTEEN COPIES
13 of the foregoing filed this 6th day
14 of October, 2009 with:

15 Docket Control
16 Arizona Corporation Commission
17 1200 West Washington
18 Phoenix, Arizona 85007

19 COPIES of the foregoing hand delivered/
20 mailed this 6th day of October, 2009 to:

21 The Honorable Dwight D. Nodes,
22 Asst. Chief Administrative Law Judge
23 Hearing Division
24 Arizona Corporation Commission
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Phoenix, Arizona 85007

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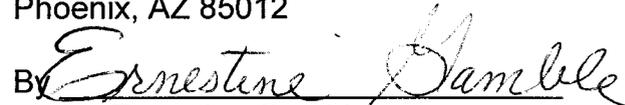
By 
Ernestine Gamble

EXHIBIT A

SW-01428A-09-0103

Docket	Documents	Decisions	Case Schedule	Staff Assigned	Service List	Linked Dockets
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[Back](#)

Staff Assigned:

Name	Area	Assigned
Scott Jr., M.	Utilities	3/17/2009
Madrid	Utilities	3/17/2009
Chaves	Utilities	3/17/2009
Michlik	Utilities	3/17/2009
Manrique , Juan	Utilities	3/17/2009
Mitchell , Robin	Legal	10/2/2009
Torrey , Kevin (Lead)	Legal	10/2/2009
Nodes	Hearing	3/23/2009

