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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JAN 25 2010

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS ANTHEM WATER DISTRICT AND ITS SUN CITY WATER DISTRICT.

DOCKET NO. W-01303A-09-0343

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS ANTHEM/AGUA FRIA WASTEWATER DISTRICT, ITS SUN CITY WASTEWATER DISTRICT AND ITS SUN CITY WEST WASTEWATER DISTRICT.

DOCKET NO. SW-01303A-09-0343

PROCEDURAL ORDER

BY THE COMMISSION:

On July 2, 2009, Arizona-American Water Company ("Arizona-American" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for rate increases for its Anthem Water District, Sun City Water District, Anthem/Agua Fria Wastewater District, Sun City Wastewater District, and Sun City West Wastewater District.

On January 8, 2010, the Sun City West Property Owners and Residents Association ("PORA") filed a Motion to Intervene. PORA is an Arizona non-profit corporation in good standing.

On January 22, 2010, notice was filed in this docket that PORA has specifically authorized Larry Woods, its President, to represent it as an intervenor in this matter.

Pursuant to Rule 31(d)(28) of the Rules of the Arizona Supreme Court, a non-profit

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1 organization may be represented by a corporate officer, employee, or a member who is not an active  
2 member of the state bar, if (1) the non-profit organization has specifically authorized the officer,  
3 employee, or member to represent it in the particular matter; (2) such representation is not the  
4 person's primary duty to the non-profit organization, but is secondary or incidental to such person's  
5 duties relating to the management or operation of the non-profit organization; and (3) the person is  
6 not receiving separate or additional compensation (other than reimbursement for costs) for such  
7 representation. Rule 31(d)(28) of the Rules of the Arizona Supreme Court further states that the  
8 Commission or presiding officer may require counsel in lieu of lay representation whenever it is  
9 determined that lay representation is interfering with the orderly progress of the proceeding, imposing  
10 undue burdens on the other parties, or causing harm to the parties represented.

11 No oppositions to the Motion to Intervene have been filed. Accordingly, PORA should be  
12 granted intervention.

13 In the discretion of the Commission, pursuant to Rule 31(d)(28) of the Rules of the Arizona  
14 Supreme Court, Larry Woods should be allowed to represent PORA before the Commission for  
15 purposes of this proceeding.

16 IT IS THEREFORE ORDERED that PORA is hereby granted intervention.

17 IT IS FURTHER ORDERED that Larry Woods is hereby authorized to represent PORA  
18 before the Commission for purposes of this proceeding, subject to the conditions required by Rule  
19 31(d)(28) of the Rules of the Arizona Supreme Court.

20 IT IS FURTHER ORDERED that pursuant to Rule 31(d)(28) of the Rules of the Arizona  
21 Supreme Court, the Commission or presiding officer may require PORA to be represented by counsel  
22 in lieu of lay representation if it is determined that lay representation is interfering with the orderly  
23 progress of the proceeding, imposing undue burdens on the other parties, or causing harm to the  
24 parties represented.

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

1 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the  
2 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) continues to apply to this proceeding and shall remain in effect until the  
5 Commission's Decision in this matter is final and non-appealable.

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

9 DATED this 25<sup>th</sup> day of January, 2010.

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13 TEENA WOLFE  
ADMINISTRATIVE LAW JUDGE

14 Copies of the foregoing mailed/delivered  
15 this 25<sup>th</sup> day of January, 2010 to:

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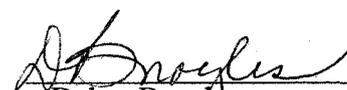
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28 By:   
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Secretary to Teena Wolfe