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BEFORE THE ARIZONA CORPORATION COMMISSION

2 COMMISSIONERS

3 KRISTIN K. MAYES - Chairman
4 GARY PIERCE
5 SANDRA D. KENNEDY
6 BOB STUMP

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Arizona Corporation Commission
DOCKETED

MAR - 4 2010

DOCKETED BY

7 IN THE MATTER OF THE APPLICATION OF
8 CHAPARRAL CITY WATER COMPANY, INC.,
9 AN ARIZONA CORPORATION, FOR A
10 DETERMINATION OF THE FAIR VALUE OF
11 ITS UTILITY PLANT AND PROPERTY AND
12 FOR INCREASES IN ITS RATES AND CHARGES
13 FOR UTILITY SERVICE BASED THEREON.

DOCKET NO. W-02113A-07-0551

PROCEDURAL ORDER
CONTINUING THE SCHEDULE FOR
REHEARING OF DECISION NO.
71308 AS AMENDED NUNC PRO
TUNC BY DECISION NO. 71424.

11 **BY THE COMMISSION:**

12 On October 21, 2009, the Arizona Corporation Commission ("Commission") issued Decision
13 No. 71308 in the above-captioned matter.

14 On February 9, 2009, following a procedural conference at which counsel for Chaparral City
15 Water Company, Inc. ("Company"), the Residential Utility Consumer Office ("RUCO"), and the
16 Commission's Utilities Division ("Staff") appeared, a procedural order was issued in this docket
17 setting the schedule for rehearing of Decision No. 71308, as amended *nunc pro tunc* by Decision No.
18 71424. The procedural order set a deadline of March 30, 2010 for filing testimony, and a hearing
19 date of April 2, 2010.

20 On February 25, 2010, RUCO filed a Motion to Continue Hearing Deadlines and Request for
21 Telephonic Procedural Conference.

22 On March 4, 2010, a telephonic procedural conference was held as requested by RUCO. The
23 Company, RUCO, and Staff appeared through counsel. The parties discussed a date for the
24 continuation of the hearing, and all parties agreed that April 12, 2010 was an acceptable date. The
25 parties also agreed to a new deadline of April 5, 2010, for Staff and intervenors to file testimony on
26 rehearing issues. The parties also agreed that if the Company wishes to file any testimony responsive
27 to that filed by Staff and intervenors on April 5, 2010, that the Company would make the filing by
28 April 8, 2010.

1 IT IS THEREFORE ORDERED that the **hearing** currently scheduled for **April 2, 2010**, is
2 hereby **continued to April 12, 2010**, commencing at **10:00 a.m.**, or as soon thereafter as practicable,
3 at the Commission's offices, 1200 West Washington Street, **Hearing Room 1**, Phoenix, Arizona,
4 for rehearing of the following two issues: (1) Decision No. 71308's treatment of the Fountain Hills
5 Sanitation District settlement proceeds; and (2) Decision No. 71308's treatment of Chaparral City
6 Water Company's request for recovery of rate case expense associated with the appeal and remand of
7 Commission Decision No. 68176 (September 30, 2005).

8 IT IS FURTHER ORDERED that **testimony** and associated exhibits to be presented at
9 hearing **on behalf of the Commission's Utilities Division and intervenors** on the two issues to be
10 reheard shall be reduced to writing and filed on or before **April 5, 2010**.

11 IT IS FURTHER ORDERED that **testimony** and associated exhibits to be presented at
12 hearing **on behalf of Chaparral City Water Company, Inc.** in response to the testimony to be filed
13 on April 5, 2010 shall be reduced to writing and filed on or before **April 8, 2010**.

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

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

23 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
24 Communications) continues to apply to this proceeding and shall remain in effect until the
25 Commission's Decision in this matter is final and non-appealable.

26 ...
27 ...
28 ...

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

4 DATED this 4th day of March, 2010.

6
7 
8 TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

9
10 Copies of the foregoing mailed/delivered
this 4th day of March, 2010, to:

11 Norman D. James
12 Jay L. Shapiro
13 FENNEMORE CRAIG
3003 North Central Avenue, Suite 2600
14 Phoenix, AZ 85012-2913
Attorneys for Chaparral City Water Company

Steve Olea, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

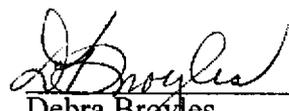
15 Daniel W. Pozefsky, Chief Counsel
16 RESIDENTIAL UTILITY
CONSUMER OFFICE
1110 West Washington Street, Suite 220
Phoenix, AZ 85007-2958

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

17 Phil Green
18 OB SPORTS F/B MANAGEMENT
(EM), LLC
19 Pacific Life Insurance Company
dba Eagle Mountain Golf Club
20 7025 East Greenway Parkway, Suite 550
Scottsdale, AZ 85254-2159

21 Craig A. Marks
22 CRAIG A. MARKS, PLC
10645 North Tatum Boulevard
23 Suite 200-676
Phoenix, AZ 85028

24 Janice Alward, Chief Counsel
25 Robin R. Mitchell, Staff Attorney
Legal Division
26 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
27 Phoenix, AZ 85007

By: 
Debra Broyles
Secretary to Teena Wolfe