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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission
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AZ CORP COMMISSION
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2 COMMISSIONERS

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

8 IN THE MATTER OF THE APPLICATION OF
 9 CHAPARRAL CITY WATER COMPANY, INC.,
 10 AN ARIZONA CORPORATION, FOR A
 11 DETERMINATION OF THE FAIR VALUE OF
 12 ITS UTILITY PLANT AND PROPERTY AND
 13 FOR INCREASES IN ITS RATES AND CHARGES
 14 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.

5
6
7 
8 TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

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

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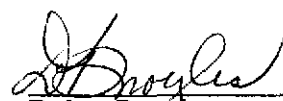
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By: 
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Secretary to Teena Wolfe