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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

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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, AND POSSIBLE RATE CONSOLIDATION FOR ALL OF ARIZONA-AMERICAN WATER COMPANY'S DISTRICTS.

DOCKET NO. W-01303A-09-0343

Arizona Corporation Commission
DOCKETED

APR 19 2010

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| DOCKETED BY | <i>MO</i> |
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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, AND POSSIBLE RATE CONSOLIDATION FOR ALL OF ARIZONA-AMERICAN WATER COMPANY'S DISTRICTS.

DOCKET NO. SW-01303A-09-0343

PROCEDURAL ORDER
GRANTING MOTIONS TO
INTERVENE

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.

Intervention in this matter has been granted to the Residential Utility Consumer Office ("RUCO"); Anthem Community Council; Sun City West Property Owners and Residents Association ("PORA"); W.R. Hansen; the Water Utility Association of Arizona; the Camelback Inn, Sanctuary on

1 Camelback Mountain, the Intercontinental Montelucia Resort and Spa, and the Scottsdale
2 Cottonwoods Resort and Suites (collectively the "Resorts"); the Town of Paradise Valley, the
3 Anthem Golf and Country Club, and Marshall Magruder.

4 On March 18, 2010, a procedural order was issued bifurcating the hearing in this matter into
5 two phases, with the second phase to include Commission consideration of rate design and rate
6 consolidation issues, and setting associated procedural deadlines, including a new intervention
7 deadline of April 15, 2010, for persons desiring to participate in the second phase of the hearing.

8 On March 30, 2010, Arizona-American filed a Notice of Filing Affidavit of Customer Notice
9 indicating that it had mailed the notice required by the March 18, 2010 procedural order to all its
10 customers on March 25, 2010.

11 On April 6, 2010, DMB White Tank, LLC ("DMB") filed a Motion to Intervene.

12 On April 13, 2010, Larry D. Woods filed a Motion to Intervene.

13 On April 14, 2010, Mashie, LLC dba Corte Bella Golf Club ("Corte Bella") and W. R.
14 Hansen each filed a Motion to Intervene.

15 On April 15, 2010, Philip H. Cook filed a Motion to Intervene.

16 No oppositions to the Motions to Intervene were filed.

17 On April 16, 2010, the prehearing conference was held as scheduled. All parties appeared,
18 and none objected to the requested interventions.

19 Accordingly, DMB, Larry D. Woods, Corte Bella and Philip H. Cook should be granted
20 intervention.¹

21 As explained at the prehearing conference, the intervenors' participation will be limited to the
22 procedural parameters set forth in the March 18, 2010 procedural order. Aside from the effects of
23 possible rate consolidation, the rate designs of the Company's districts other than its Anthem Water
24 District, Sun City Water District, Anthem/Agua Fria Wastewater District, Sun City Wastewater
25 District, and Sun City West Wastewater District will not be revisited in this proceeding.

26 IT IS THEREFORE ORDERED that DMB White Tank, LLC; Larry D. Woods; Mashie, LLC
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28 ¹ W.R. Hansen has previously been granted intervention. Mr. Woods wishes to participate in the second phase of this proceeding on his own behalf, and not on behalf of PORA.

1 dba Corte Bella Golf Club; and Philip H. Cook are hereby granted intervention in this proceeding and
2 may participate as set forth in the March 18, 2010 procedural order.

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 withdrawal of representation must be made in compliance
7 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
8 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
9 at all hearings² and procedural conferences, as well as all Open Meetings for which the matter is
10 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
11 Administrative Law Judge or the Commission.

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

15 DATED this 19th day of April, 2010.

17 
18 TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed/delivered
20 this 19th day of April, 2010 to:

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28 ² Those parties whose interest in this proceeding is limited to rate design and rate consolidation are not required to appear during the first phase of the hearing in this matter.

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