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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 CERBAT WATER COMPANY, INC. FOR
10 EMERGENCY RATE RELIEF.

DOCKET NO. W-02391A-09-0516

PROCEDURAL ORDER
(Extension of Time)

11 **BY THE COMMISSION:**

12 On November 9, 2009, Cerbat Water Company, Inc. ("Applicant" or "Company") filed with
13 the Arizona Corporation Commission ("Commission") an application for emergency rate relief in the
14 form of a surcharge and rate increase ("Application"). The Company, in its Application, asserted that
15 the water system is having problems providing water to its customers. The Company further states
16 that it is in dire financial straights and does not have the financial resources to pay for water purchased
17 from the City of Kingman ("City") and for the necessary repairs and improvements. The Company
18 sought a one-time surcharge of \$30.00 per customer and an increase of \$20.00 per month, per
19 customer in its base rates plus an increase in the gallonage charges in order to pay for the repairs and
20 improvements.

21 On November 30, 2009, by Procedural Order, a hearing was scheduled on January 20, 2010.

22 On December 24, 2009, the Company filed certification that it published public notice of the
23 proceeding in *The Standard*, a newspaper of general circulation in Mohave County, Arizona pursuant
24 to the Commission's Procedural Order. Notice of the proceeding was also mailed to the Company's
25 customers.

26 On January 5, 2010, the Commission's Utilities Division ("Staff") filed its report which
27 recommended denial of the Company's Application.

28 On January 15, 2010, the Company filed it response to the Staff Report.

On January 20, 2010, the hearing was convened before a duly authorized Administrative Law
Judge of the Commission at its offices in Phoenix. No one appeared to make public comment. Staff

1 appeared with counsel. The Company failed to comply with A.R.S. § 40-243, and the proceeding was
2 recessed so that Staff and the individuals present who had intended to represent the Company could
3 discuss the representation issue and other issues raised by the Staff Report. Upon the resumption of
4 the proceeding, counsel for Staff indicated that the parties desired a 30 day continuance to resolve
5 certain issues. The proceeding was then recessed.

6 On January 21, 2010, by Procedural Order, the proceeding was continued and another hearing
7 scheduled on March 4, 2010. Additionally, the Company was ordered to comply with A.R.S. § 40-
8 243 to insure that the Company is lawfully represented.

9 On February 29, 2010, an attorney representing the Company filed a Notice of Appearance.

10 On March 1, 2010, the Company filed a Motion to Withdraw its application for emergency rate
11 relief.

12 On March 2, 2010, Staff filed its response indicating that it does not object to the Company's
13 Motion to Withdraw on the condition that the Company be required to file a permanent rate
14 application by April 30, 2010.

15 On March 3, 2010, by Procedural Order, the Company's Motion to Withdraw was granted and
16 the Company was ordered to file a permanent rate application by April 30, 2010.

17 On April 13, 2010, an Administrative Closure, Number 71621, was issued in this docket.

18 On April 27, 2010, the Company filed a Motion for Extension of Time to file Rate Case
19 ("Motion") until June 1, 2010, because more time is needed to prepare its application. The Company,
20 in its Motion, states that Staff has no objections to the requested extension of time.

21 Accordingly, the Company's Motion should be granted and the Company should have until
22 June 1, 2010, to file a permanent rate application.

23 **IT IS THEREFORE ORDERED that Cerbat Water Company, Inc. shall have until June 1,**
24 **2010, to file a permanent rate application.**

25 DATED this 28th day of April, 2010.

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MARC E. STERN
ADMINISTRATIVE LAW JUDGE

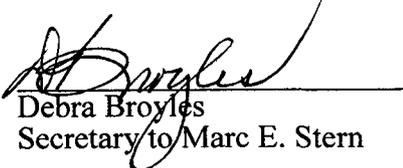
1 Copies of the foregoing mailed/delivered
2 this 28th day of April, 2010 to:

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26
27
28