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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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Arizona Corporation Commission

DOCKETED

OCT 12 2010

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

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF  
EDEN WATER CO. FOR AN EMERGENCY RATE  
INCREASE.

DOCKET NO. W-02068A-10-0376

PROCEDURAL ORDER

BY THE COMMISSION:

On September 10, 2010, Eden Water Co. ("Eden" or the "Company") filed with the Arizona Corporation Commission ("Commission") a request for an emergency rate increase.

By Procedural Order dated September 24, 2010 a Procedural Conference convened on October 6, 2010 for the purpose of discussing procedures and the timing for a hearing in this matter.

During the Procedural Conference, the Commission's Utilities Division (Staff) reported that they could file a Staff Report in approximately 30 days from the date of the Procedural Conference. The Company, a member-owned non-profit utility serving an area near Eden Arizona believes it is imperative to get emergency rates in place as soon as possible because they allege current revenues are not sufficient to cover their operating expenses.

IT IS THEREFORE ORDERED that a Hearing on the emergency rate request shall commence on November 16, 2010 at 10:00 a.m., or as soon thereafter as is practical, at the Commission's Tucson offices, Room 158, 400 W. Congress St., Tucson, Arizona 85701.

IT IS FURTHER ORDERED that Staff shall file its Staff Report in this matter on or before November 5, 2010.

IT IS FURTHER ORDERED that Eden shall provide public notice of the hearing in this matter in the following form and style:

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**PUBLIC NOTICE OF THE HEARING**  
**ON THE APPLICATION OF**  
**EDEN WATER COMPANY FOR**  
**AN EMERGENCY RATE INCREASE,**  
**DOCKET NO. W-02068A-10-0376**

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On September 10, 2010, Eden Water Company ("Company") filed with the Arizona Corporation Commission ("Commission") an application for an emergency rate increase. The Company obtains its water from Graham County Utilities which was recently granted a rate increase, and the Company alleges that with the increase in the water rates it pays it cannot meet its on-going operating expenses. The Company is requesting an emergency increase in annual revenues of \$24,036.

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Under the Company's proposal, the monthly charge for a 5/8 inch meter would increase from \$17.50 per month to \$20.00 per month and the commodity rates would increase from \$2.70 per 1,000 gallons to \$3.50 per 1,000 gallons; and the monthly charge for a 2 inch meter would increase from \$25 to \$35, and the commodity rate would increase from \$2.70 to \$3.50. The charge for bulk water sales would also increase from \$2.70 to \$3.50 per 1,000 gallons. **The Commission may approve the amount of the request or modify the amount higher or lower, or may deny the request.**

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**The Commission will conduct a hearing on this matter on November 16, 2010, commencing at 10:00 a.m., or as soon thereafter as is practical, at the Commission's Tucson offices, Room 158, 400 West Congress, Tucson 85701.**

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As a customer of the Company, you have the right to file written comments concerning the application, to request intervention, and to appear at hearing. If you do not wish to file written comments concerning the application, to request intervention, you are not required to take any action.

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The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and in Tucson, at 400 West Congress Street, Suite 218, Tucson, Arizona, and at the offices of the Applicant, [APPLICANT INSERT ADDRESS]. The application is also available on the Commission's website, [www.azcc.gov](http://www.azcc.gov), using the e-Docket link.

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The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene in the proceedings and participate as a party. Persons desiring to intervene must file a written motion to intervene with the Commission and send such motion to Applicant or its counsel and to all parties of record. The motion must, at the minimum, contain the following:

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1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different from that of the intervenor.
  2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer or potential customer of the Applicant, a member or shareholder of the Applicant, etc.).
  3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

1 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
2 that **all motions to intervene must be filed on or before November 5, 2010.** If  
3 representation by counsel is required by Rule 31 of the Rules of the Arizona  
4 Supreme Court, intervention will be conditioned upon the intervenor obtaining  
5 counsel to represent the intervenor. For information about requesting intervention,  
6 visit the Arizona Corporation Commission's webpage at  
7 <http://www.azcc.gov/divisions/utilities/forms.asp>. The granting of intervention,  
8 among other things, entitles a party to present sworn evidence at hearing and to  
9 cross-examine other witnesses. **However, failure to intervene will not preclude any**  
10 **customer from appearing at a hearing and making a statement on such customer's**  
11 **own behalf.**

12 If you have any questions about the application or this notice, you may contact  
13 Applicant at [APPLICANT insert contact name, address and telephone  
14 number]. If you want further information on intervention or have questions on how  
15 to file comments you may contact the Consumer Services Section of the  
16 Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-  
17 800-222-7000 or (520) 628-6550. All correspondence should reference Docket No.  
18 W-02068A-10-0376.

19 The Commission does not discriminate on the basis of disability in admission to its  
20 public meetings. Persons with a disability may request a reasonable  
21 accommodation such as a sign language interpreter, as well as request this  
22 document in an alternative format, by contacting Shaylin Bernal, ADA Coordinator,  
23 voice phone number 602/542-3931, E-mail: SABernal@azcc.gov. Requests should  
24 be made as early as possible to allow time to arrange the accommodation.

25 IT IS FURTHER ORDERED that Eden shall mail by first-class U.S. Mail, to each customer a  
26 copy of this notice to begin as soon as possible, and to be completed on or before October 25, 2010.

27 IT IS FURTHER ORDERED that Eden shall file a certification of mailing of the above notice  
28 as soon a practical.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing,  
notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that **intervention** shall be in accordance with the A.A.C. R14-  
3-105, except that all motions to intervene must be filed on or before **November 5, 2010.**

IT IS FURTHER ORDERED that **prior to the date of the hearing**, the Company shall file  
with Docket Control a **Resolution of the Board of Directors of the Company authorizing Mr.**  
**Colvin to represent it at hearing.**

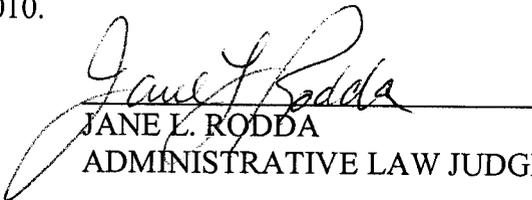
IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
Communications) applies to this proceeding as the matter is now set for public hearing.

1 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
2 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

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

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

8 DATED this 7<sup>th</sup> day of October, 2010.

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11 JANE L. RODDA  
ADMINISTRATIVE LAW JUDGE

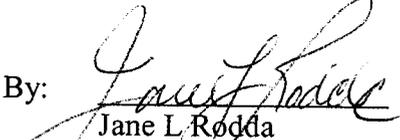
12 Copies of the foregoing mailed  
13 this 7<sup>th</sup> day of October, 2010 to:

14 Jay D. Colvin  
15 Sebrina Davis  
16 Eden Water Co.  
9488 N. Hot Springs Rd  
Eden , AZ 85535

17 Janice Alward, Chief Counsel  
18 LEGAL DIVISION  
19 ARIZONA CORPORATION COMMISSION  
1200 W. Washington Street  
Phoenix, Arizona 85007

20 Steve Olea, Director  
21 UTILITIES DIVISION  
22 ARIZONA CORPORATION COMMISSION  
1200 W. Washington Street  
Phoenix, Arizona 85007

23 ARIZONA REPORTING SERVICE, INC.  
24 2200 N. Central Avenue, Suite 502  
Phoenix, Arizona 85004-1481

25 By:   
26 Jane L. Rodda