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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION
OF PARK WATER COMPANY, INC. FOR
APPROVAL OF A RATE INCREASE.

DOCKET NO. W-02353A-10-0242

PROCEDURAL ORDER

BY THE COMMISSION:

On July 29, 2010, Park Water Company, Inc. ("Park Water" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for an increase in its water rates and charges, using a test year ending December 31, 2009. Park Water's application requests an increase in rates of \$26,138 over total test year revenues of \$70,372.

On July 14, 2010, the Commission's Utilities Division ("Staff") filed a Letter of Deficiency stating that Park Water's application had not met the sufficiency requirements as outlined in the Arizona Administrative Code ("A.A.C.").

On July 29, 2010, and August 19, 2010, Park Water filed responses to Staff's Letter of Deficiency and Data Request.

On August 26, 2010, Staff filed a Letter of Sufficiency in this docket stating that Park Water's application had met the sufficiency requirements as outlined in A.A.C. R14-2-103 and that Park Water has been classified as a Class D utility.

On September 29, 2010, Park Water filed a Request for Extension of Time. The Company requested an additional 60 days to amend its application to include the plant that was financed with the Water Infrastructure Finance Authority ("WIFA") emergency surcharge. The Company stated that completion of the plant is imminent and that the plant will be placed into service as soon as the required testing and Arizona Department of Environmental Quality ("ADEQ") approvals have been obtained.

On October 20, 2010, the Company filed an amended request for an extension of time

1 requesting waiver of the time clock so that the Company can complete the plant needed and obtain
2 the required testing and ADEQ approvals. Park Water's amended request also states that Park Water
3 needs the cash flow that will be generated from the plant to help pay for all of the WIFA loan
4 requirements as well as to pay for unforeseen emergencies.

5 Staff indicated that it has no objections to the Company's request to waive the time clock.
6 However, a Procedural Conference should be held to determine the approximate timeframe for the
7 Company to file its amended application and given the timeframe for filing the amended application
8 whether the 2009 test year is appropriate.

9 IT IS THEREFORE ORDERED that the **time clock in this matter is hereby temporarily**
10 **suspended pending further determination by the Commission.**

11 IT IS FURTHER ORDERED that a **Procedural Conference shall be held on November 8,**
12 **2010, at 10:00 a.m., at the Commission's offices, 1200 West Washington Street, Room 100,**
13 **Phoenix, Arizona,** to discuss the approximate timeframe for the Company to file its amended
14 application and to discuss the appropriate test year to be used in this matter.

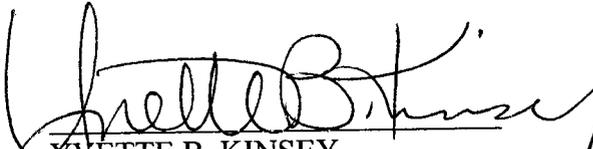
15 IT IS FURTHER ORDERED that **Park Water may appear telephonically for the**
16 **Procedural Conference by contacting the Hearing Division, (602) 542-4250, to make**
17 **arrangements prior to the Procedural Conference date.**

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

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

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

3 DATED this 22nd day of October, 2010.

4
5
6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE

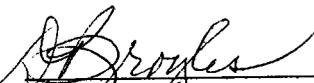
9 Copies of the foregoing mailed
10 this 22nd day of October, 2010, to:

11 Patricia M. O'Connor, President
12 PARK WATER COMPANY, INC.
13 P.O. Box 16173
14 Phoenix, AZ 85011

15 Janice Alward, Chief Counsel
16 Legal Division
17 ARIZONA CORPORATION COMMISSION
18 1200 West Washington Street
19 Phoenix, Arizona 85007

20 Steven Olea, Director
21 ARIZONA CORPORATION COMMISSION
22 1200 West Washington Street
23 Phoenix, Arizona 85007

24 ARIZONA REPORTING SERVICE, INC.
25 2200 North Central Avenue, Suite 502
26 Phoenix, AZ 85004-1481

27 By: 
28 Debra Broyles
Secretary to Yvette B. Kinsey