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BEFORE THE ARIZONA CORPORATION COMMISSION

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GARY PIERCE - Chairman

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SANDRA D. KENNEDY

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PAUL NEWMAN

BRENDA BURNS

IN THE MATTER OF THE APPLICATION OF LITCHFIELD PARK SERVICE COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE FAIR VALUE OF ITS UTILITY PLANTS AND PROPERTY AND FOR INCREASES IN ITS WASTEWATER RATES AND CHARGES FOR UTILITY SERVICE BASED THEREON.

DOCKET NO. SW-01428A-09-0103

IN THE MATTER OF THE APPLICATION OF LITCHFIELD PARK SERVICE COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE FAIR VALUE OF ITS UTILITY PLANTS AND PROPERTY AND FOR INCREASES IN ITS WATER RATES AND CHARGES FOR UTILITY SERVICE BASED THEREON.

DOCKET NO. W-01427A-09-0104

IN THE MATTER OF THE APPLICATION OF LITCHFIELD PARK SERVICE COMPANY, AN ARIZONA CORPORATION, FOR AUTHORITY (1) TO ISSUE EVIDENCE OF INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$1,755,000 IN CONNECTION WITH (A) THE CONSTRUCTION OF TWO RECHARGE WELL INFRASTRUCTURE IMPROVEMENTS AND (2) TO ENCUMBER ITS REAL PROPERTY AND PLANT AS SECURITY FOR SUCH INDEBTEDNESS.

DOCKET NO. W-01427A-09-0116

IN THE MATTER OF THE APPLICATION OF LITCHFIELD PARK SERVICE COMPANY, AN ARIZONA CORPORATION, FOR AUTHORITY (1) TO ISSUE EVIDENCE OF INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$1,170,000 IN CONNECTION WITH (A) THE CONSTRUCTION OF ONE 200 KW ROOF MOUNTED SOLAR GENERATOR INFRASTRUCTURE IMPROVEMENTS AND (2) TO ENCUMBER ITS REAL PROPERTY AND PLANT AS SECURITY FOR SUCH INDEBTEDNESS.

DOCKET NO. W-01427A-09-0120

PROCEDURAL ORDER

BY THE COMMISSION:

1 On December 10, 2010, the Arizona Corporation Commission (“Commission”) issued  
2 Decision No. 72026 in the above-captioned consolidated docket. The hook-up fee tariff issue was  
3 bifurcated and deferred for consideration in “Phase 2” of the proceeding. In accordance with the  
4 Procedural Order issued November 23, 2009, Phase 2 was scheduled to commence following  
5 issuance of the Commission’s Order setting permanent rates for LPSCO in Phase 1. (See November  
6 23, 2009 Procedural Order, at 6-8.)

7  
8 On December 29, 2010, Litchfield Park Service Company (“LPSCO” or “Company”) timely  
9 filed an Application for Rehearing of Decision No. 72026 pursuant to A.R.S. § 40-253.

10 On January 14, 2011, the Residential Utility Consumer Office (“RUCO”) filed a “Request for  
11 Reconsideration Under A.R.S. § 40-252.”

12 During its January 18, 2011, Staff Open Meeting, the Commission voted to grant LPSCO’s  
13 Application for Rehearing of Decision No. 72026, pursuant to A.R.S. § 40-253, and to grant RUCO’s  
14 Request for Reconsideration of Decision No. 72026, pursuant to A.R.S. § 40-252.

15 On March 9, 2011, the Commission issued Decision No. 72217, rescinding its vote to grant  
16 rehearing and reconsideration of Decision No. 72026, thereby denying rehearing and reconsideration.

17 On March 7, 2011, LPSCO filed a “Request to Commence Phase 2 of Rate Case.” LPSCO  
18 requested that Phase 2 be commenced immediately through scheduling of a procedural conference to  
19 discuss the need for additional evidentiary proceedings.  
20

21 To date, no party has filed a response to LPSCO’s request to commence Phase 2.

22  
23 IT IS THEREFORE ORDERED that a **procedural conference for the purpose of setting a**  
24 **procedural schedule for Phase 2 of this proceeding is hereby scheduled to commence on May 2,**  
25 **2011, at 10:00 a.m.,** at the Commission’s offices, 1200 W. Washington, Hearing Room No. 1,  
26 Phoenix, Arizona.

27 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
28

1 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*  
2 *hac vice*.

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

9 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized  
10 Communications) continues to apply to this proceeding and shall remain in effect until the  
11 Commission's Decision in this matter is final and non-appealable.

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 13<sup>th</sup> day of April, 2011.

16  
17 

18 DWIGHT D. NODES  
19 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

20 Copies of the foregoing mailed/delivered/faxed  
21 this 13<sup>th</sup> day of April, 2011 to:

22 Jay L. Shapiro  
23 Todd C. Wiley  
24 FENNEMORE CRAIG, PC  
25 3003 North Central Avenue, Suite 2600  
26 Phoenix, AZ 85012  
27 Attorneys for Litchfield Park Service Co.

28 Michelle Wood  
RUCO  
1110 West Washington, Suite 220  
Phoenix, AZ 85007

1 Martin A. Aronson  
2 Robert J. Moon  
3 MORRILL & ARONSON, PLC  
4 One East Camelback Road, Suite 340  
5 Phoenix, AZ 85012  
6 Attorneys for Pebblecreek Properties Limited Partnership

7 William P. Sullivan  
8 Larry K. Udall  
9 CURTIS GOODWIN SULLIVAN  
10 UDALL & SCHWAB, P.L.C.  
11 501 East Thomas Rd  
12 Phoenix, AZ 85012-3205  
13 Attorneys for City of Litchfield Park

14 Chad and Jessica Robinson  
15 15629 W. Meadowbrook Ave  
16 Goodyear, AZ 85395

17 Craig A. Marks  
18 CRAIG A. MARKS, PLC  
19 10645 North Tatum Blvd., Suite 200-676  
20 Phoenix, AZ 85028  
21 Attorney for Westcor/Goodyear LLC and Globe Land Investors, LLC

22 Janice Alward, Chief Counsel  
23 Legal Division  
24 ARIZONA CORPORATION COMMISSION  
25 1200 West Washington Street  
26 Phoenix, AZ 85007

27 Steve Olea, Director  
28 Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

ARIZONA REPORTING SERVICE, INC.  
2200 N. Central Ave., Suite 502  
Phoenix, AZ 85004-1481

22 By:   
23 Debbi Person  
24 Assistant to Dwight D. Nodes  
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26  
27  
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