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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

- GARY PIERCE, Chairman
- BOB STUMP
- SANDRA D. KENNEDY
- PAUL NEWMAN
- BRENDA BURNS

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

APR 28 2011

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF INDIADA WATER COMPANY, INC., FOR APPROVAL OF A PERMANENT INCREASE IN ITS WATER RATES.

DOCKET NO. W-02031A-10-0168

IN THE MATTER OF THE APPLICATION OF ANTELOPE RUN WATER COMPANY FOR APPROVAL OF A PERMANENT INCREASE IN ITS WATER RATES.

DOCKET NO. W-02327A-10-0169

IN THE MATTER OF THE APPLICATION OF BOB B. WATKINS DBA EAST SLOPE WATER COMPANY FOR APPROVAL OF A PERMANENT INCREASE IN ITS WATER RATES.

DOCKET NO. W-01906A-10-0170

IN THE MATTER OF THE APPLICATIONS OF BOB B. WATKINS DBA EAST SLOPE WATER COMPANY, INDIADA WATER COMPANY, INC., AND ANTELOPE RUN WATER COMPANY FOR APPROVAL OF A TRANSFER OF ASSETS AND CERTIFICATES OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-01906A-10-0171
DOCKET NO. W-02031A-10-0171
DOCKET NO. W-02327A-10-0171

IN THE MATTER OF THE APPLICATION OF BOB B. WATKINS DBA EAST SLOPE WATER COMPANY FOR AUTHORITY TO INCUR LONG-TERM DEBT.

DOCKET NO. W-01906A-10-0183

IN THE MATTER OF THE APPLICATION OF INDIADA WATER COMPANY, INC., FOR AUTHORITY TO INCUR LONG-TERM DEBT.

DOCKET NO. W-02031A-10-0184

IN THE MATTER OF THE APPLICATION OF ANTELOPE RUN WATER COMPANY FOR AUTHORITY TO INCUR LONG-TERM DEBT.

DOCKET NO. W-02327A-10-0185

PROCEDURAL ORDER

BY THE COMMISSION:

On March 25, 2011, a Procedural Order was issued consolidating the above-captioned dockets and setting the matter for hearing and directing Staff to file its Staff Report or Direct Testimony by July 13, 2011.

1 On April 1, 2011, Staff filed its Motion to Suspend Time Clock and Request for Procedural
2 Conference ("Motion"). According to Staff, at the time Staff issued its sufficiency letters in the rate
3 application dockets, it also issued data requests to accompany certain other outstanding data requests.
4 Staff notes that the applicants have been delayed in responding to the data requests, and, as such,
5 Staff doubts its ability to prepare its Direct Testimony by July 13, 2011. Consequently, Staff filed its
6 Motion to request a suspension of the time clock and to request a telephonic procedural conference to
7 discuss scheduling.

8 On April 6, 2011, a Procedural Order was issued setting a Procedural Conference for April
9 21, 2011.

10 On April 12, 2011, the Companies filed their Response to the Motion, noting that, given the
11 volume of data requests submitted by Staff, the responses to those data requests were timely, even
12 though the responses were not supplied within the required ten days. The Companies also believed
13 that Staff's request is premature since there were still over 90 days for Staff to prepare its Direct
14 Testimony.

15 On April 20, 2011, Staff filed its Response to the Companies' Response, asserting that the
16 answers to Staff's data requests were *not* timely, thereby hindering Staff's ability to process the
17 applications.

18 The Procedural Conference in this matter was held as scheduled on April 21, 2011, during
19 which the parties reiterated their positions.

20 Having considered both parties' positions, Staff's concerns are understandable, but the fact
21 that the Companies may have experienced delays in providing responses to data requests in the past,
22 does not necessarily mean that they will do so in the future.

23 Accordingly, Staff's request to suspend the time clock is premature and Staff's Motion is
24 denied. However, Staff is not precluded from again requesting a suspension of the time clock if more
25 immediate and concrete concerns arise.

26 IT IS THEREFORE ORDERED that Staff's Motion to Suspend Time Clock is denied.
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1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
2 Communications) applies to this proceeding as the matter is now set for public hearing, and shall
3 remain in effect until the Commission's Decision in this matter is final and non-appealable.

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

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

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

15 DATED this 26th day of April, 2011.

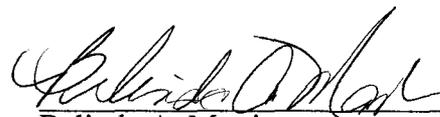
16 
17 BELINDA A. MARTIN
18 ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed/delivered
20 this 26th day of April, 2011, to:

21 Steve Wene, Esq.
22 MOYES STOREY, LTD
23 1850 North Central Avenue, Suite 1100
24 Phoenix, AZ 85004

25 Janice Alward, Chief Counsel
26 Legal Division
27 ARIZONA CORPORATION COMMISSION
28 1200 West Washington Street
Phoenix, AZ 85007

Steven M. Olea, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

By: 
Belinda A. Martin