

ORIGINAL



0000124956

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

2011 MAY -2 A 11: 15

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

ARIZONA CORPORATION  
DOCKET CONTROL

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

Arizona Corporation Commission  
**DOCKETED**

MAY 2 2011

DOCKETED BY

**PROCEDURAL ORDER**

BY THE COMMISSION:

1 By Procedural Order issued November 23, 2009, "Phase 2" of this proceeding (addressing  
2 LPSCO's proposed hook-up fee tariff) was bifurcated and scheduled to commence following  
3 issuance of the Arizona Corporation Commission's ("Commission") Order setting permanent rates  
4 for LPSCO in Phase 1. (See November 23, 2009 Procedural Order, at 6-8.)

5 On December 10, 2010, the Commission issued Decision No. 72026 in Phase 1 of the above-  
6 captioned consolidated docket. In addition to consideration of the hook-up fee tariff issue in Phase 2,  
7 the Commission directed that the issue of a surcharge mechanism associated with the Phase 1 phase-  
8 in of rates should also be considered in Phase 2. (Decision No. 72026, at 74.)

9  
10 On March 7, 2011, LPSCO filed a "Request to Commence Phase 2 of Rate Case." LPSCO  
11 requested that Phase 2 be commenced immediately through scheduling of a procedural conference to  
12 discuss the need for additional evidentiary proceedings.

13 On April 13, 2011, a Procedural Order was issued scheduling a procedural conference for  
14 May 2, 2011.

15 The procedural conference was held, as scheduled, on May 2, 2011. During the procedural  
16 conference, the parties discussed and agreed upon a procedural schedule for considering the issues  
17 deferred to Phase 2.  
18

19 **IT IS THEREFORE ORDERED that the Phase 2 hearing in this proceeding shall**  
20 **commence on June 27, 2011, at 10:00 a.m.,** at the offices of the Commission, 1200 West  
21 Washington, **Hearing Room No. 1,** Phoenix, Arizona 85007.

22 **IT IS FURTHER ORDERED that in accordance with the agreement of the parties, the**  
23 **following Phase 2 filing dates are established:**  
24

<b>LPSCO Direct Testimony</b>	<b>May 11, 2011</b>
<b>Staff and Intervenor Direct Testimony</b>	<b>June 6, 2011</b>
<b>LPSCO Rebuttal Testimony</b>	<b>June 17, 2011</b>

25  
26  
27 **IT IS FURTHER ORDERED** that all parties must comply with Rules 31 and 38 of the Rules  
28 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*

1 *hac vice.*

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

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

11 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
12 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
13 hearing.

14 DATED this 2<sup>nd</sup> day of May, 2011.

15  
16  
17 

18 DWIGHT D. NODES  
19 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

20 Copies of the foregoing mailed/delivered/faxed  
21 this 2<sup>nd</sup> day of May, 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 Peter M. Gerstman  
Executive Vice-President, General Counsel  
Robson Communities  
2 9532 East Riggs Road  
Sun Lakes, AZ 85248  
3

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

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

11 Chad and Jessica Robinson  
15629 W. Meadowbrook Ave  
12 Goodyear, AZ 85395

13 Craig A. Marks  
CRAIG A. MARKS, PLC  
14 10645 North Tatum Blvd., Suite 200-676  
Phoenix, AZ 85028  
15 Attorney for Westcor/Goodyear LLC and Globe Land Investors, LLC

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

19 Steve Olea, Director  
Utilities Division  
20 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
21 Phoenix, AZ 85007

22 ARIZONA REPORTING SERVICE, INC.  
23 2200 N. Central Ave., Suite 502  
Phoenix, AZ 85004-1481

24  
25 By:



26 Debbi Person  
Assistant to Dwight D. Nodes  
27  
28