

ORIGINAL



0000126377

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

COMMISSIONERS

2011 JUN 15 A 10:05

DOCKETED

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

AZ CORP COMMISSION
DOCKET CONTROL

JUN 15 2011

DOCKETED BY	<i>[Signature]</i>
-------------	--------------------

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS AGUA FRIA WATER DISTRICT, HAVASU WATER DISTRICT, AND MOHAVE WATER DISTRICT.

DOCKET NO. W-01303A-10-0448

PROCEDURAL ORDER
MODIFYING TESTIMONY
FILING SCHEDULE

BY THE COMMISSION:

On November 13, 2010, Arizona-American Water Company ("Arizona-American" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for rate increases for its Agua Fria Water District, Havasu Water District and Mohave Water District.

On January 20, 2011, a Rate Case Procedural Order was issued setting a date for commencement of the hearing in this matter and setting associated procedural deadlines. The hearing is scheduled to commence on August 17, 2011 at 1:00 p.m., at which time the parties may provide opening statements and public comments will be taken. A pre-hearing conference is scheduled to be held on August 15, 2011, commencing at 2:00 p.m., for the purpose of scheduling witnesses and the conduct of the hearing.

On March 21, 2011, Arizona-American filed Affidavits indicating that it caused publication of notice of the application and hearing, as well as mailing notice of the application and hearing to all affected customers, as required by the Rate Case Procedural Order.

Intervention in this proceeding has been granted to the Residential Utility Consumer Office ("RUCO"), the Water Utility Association of Arizona ("WUAA"), Sun City Grand Community Association, Inc. ("SCGCA"), Mashie, LLC dba Corte Bella Golf Club ("Corte Bella"), Kenneth

1 Hewitt, Verrado Community Association, Inc. (“Verrado”) and DMB White Tank, LLC (“DMB”).
 2 The Commission’s Utilities Division (“Staff”) is also a party to this proceeding.

3 On June 6, 2011, RUCO docketed a filing titled “RUCO’s Stipulated Motion to Continue
 4 Testimony Filing Dates” (“Motion”). The Motion states that RUCO requested that the parties
 5 stipulate to a one week continuance of testimony filing dates, because RUCO recently retained an
 6 engineer. The Motion avows that the Company, SCGCA, Corte Bella, Mr. Hewitt, Verrado, and
 7 Staff have no objection to RUCO’s request and agree with RUCO’s proposed modified schedule, as
 8 follows:

	Current Due Date	Proposed Due Date
Intervenor and Staff Direct Testimony on Issues Other than Rate Design	June 20, 2011	June 27, 2011
Intervenor and Staff Direct Testimony on Rate Design	June 27, 2011	July 5, 2011
Company Rebuttal Testimony	July 8, 2011	July 15, 2011
Intervenor and Staff Surrebuttal Testimony	July 26, 2011	August 2, 2011
Company Rejoinder Testimony	August 1, 2011	August 9, 2011

9 No response to the Motion has been filed.

10 The proposed modified filing schedule is reasonable and will be adopted.

11 IT IS THEREFORE ORDERED that the **direct testimony** and associated exhibits to be
 12 presented at hearing **on behalf of Staff and intervenors on issues other than rate design** shall be
 13 reduced to writing and filed on or before **June 27, 2011**.

14 IT IS FURTHER ORDERED that the **direct testimony** and associated exhibits to be
 15 presented at hearing **on behalf of Staff and intervenors on rate design issues** shall be reduced to
 16 writing and filed on or before **July 5, 2011**.

17 IT IS FURTHER ORDERED that any **rebuttal testimony and associated exhibits to be**
 18 **presented at hearing by Arizona-American** shall be reduced to writing and filed on or before **July**
 19 **15, 2011**.

20 IT IS FURTHER ORDERED that any **surrebuttal testimony and associated exhibits to be**
 21 **presented by Staff and intervenors** shall be reduced to writing and filed on or before **August 2,**
 22 **2011**.

1 IT IS FURTHER ORDERED that any **rejoinder testimony and associated exhibits to be**
2 **presented at hearing by Arizona-American** shall be reduced to writing and filed on or before
3 **August 9, 2011.**

4 IT IS FURTHER ORDERED that **all filings shall be made by 4:00 p.m. on the date the**
5 **filing is due.**

6 IT IS FURTHER ORDERED that any **objections to testimony or exhibits that have been**
7 **prefiled as of August 9, 2011, shall be made before or at the August 15, 2011, pre-hearing**
8 **conference.**

9 IT IS FURTHER ORDERED that all testimony filed shall include a table of contents which
10 lists the issues discussed.

11 IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to
12 prefiled testimony shall be reduced to writing and filed no later than five calendar days before the
13 witness is scheduled to testify.

14 IT IS FURTHER ORDERED that the parties shall prepare a brief, written summary of the
15 prefiled testimony of each of their witnesses and shall file each summary at least two working days
16 before the witness is scheduled to testify.

17 IT IS FURTHER ORDERED that copies of summaries shall be served upon the
18 Administrative Law Judge, the Commissioners, and the Commissioners' aides as well as the parties
19 of record.

20 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
21 31 and 38, and A.R.S. § 40-243 with respect to the practice of law.

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

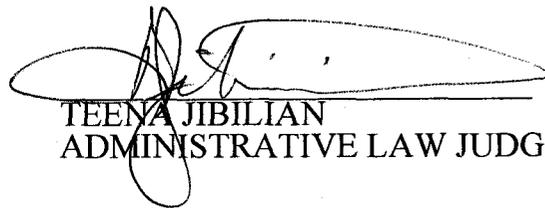
28 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized

1 Communications) continues to apply to this proceeding and shall remain in effect until the
2 Commission's Decision in this matter is final and non-appealable.

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

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

8 DATED this 15th day of June, 2011.

9
10 
11 TEENA JIBILIAN
ADMINISTRATIVE LAW JUDGE

12 Copies of the foregoing mailed/delivered
13 this 15th day of June, 2011 to:

14 Thomas H. Campbell
15 Michael T. Hallam
16 LEWIS AND ROCA LLP
40 North Central Avenue
Phoenix, AZ 85004
Attorneys for Arizona-American Water Co.

Curtis S. Ekmark
EKMARK & EKMARK, L.L.C.
6720 North Scottsdale Road, Suite 261
Scottsdale, AZ 85253
Attorneys for SCGCA

17 Michelle Wood, Counsel
18 RESIDENTIAL UTILITY CONSUMER OFFICE
1110 West Washington Street, Suite 220
Phoenix, AZ 85007

Michele L. Van Quathem
RILEY CARLOCK & APPLEWHITE, P.A.
One North Central Avenue Suite 1200
Phoenix, AZ 85004-4417
Attorneys for Verrado and DMB

19 Greg Patterson, Director
20 WATER UTILITY ASSOCIATION
21 OF ARIZONA
916 West Adams, Suite 3
Phoenix, AZ 85007

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

22 Joan S. Burke
23 LAW OFFICE OF JOAN S. BURKE
1650 North First Avenue
Phoenix, AZ 85003
24 Attorney for Corte Bella

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

25 Kenneth Hewitt
18729 North Palermo Court
26 Surprise, AZ 85387

27 By: 
28 Debra Broyles
Secretary to Teena Jibilian