

ORIGINAL



0000127415

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

COMMISSIONERS

2011 JUL -8 A 9:48

DOCKETED

JUL - 8 2011

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

AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF  
ARIZONA-AMERICAN WATER COMPANY  
FOR A WAIVER UNDER A.A.C. R14-2-806 OR,  
IN THE ALTERNATIVE, NOTICE OF INTENT  
TO REORGANIZE UNDER A.A.C. R14-2-803.

DOCKET NO. W-01303A-11-0101

**PROCEDURAL ORDER**  
**GRANTING INTERVENTION**

**BY THE COMMISSION:**

On March 2, 2011, Arizona-American Water Company (“Arizona-American” or “Applicant”) filed with the Arizona Corporation Commission (“Commission”) an application for a waiver under A.A.C. R14-2-806 or, in the alternative, Notice of Intent to Reorganize under A.A.C. R14-2-803 (“Application and Notice”).

On March 4, 2011, the Residential Utility Consumer Office (“RUCO”) filed an Application to Intervene.

On March 7, 2011, a Procedural Order was issued setting a procedural conference for the purpose of discussing the processing of the Application and Notice.

On March 22, 2011, the procedural conference convened as scheduled. Counsel for the Applicant, RUCO and Staff appeared. No objection was made to RUCO’s intervention request. Applicant, RUCO and Staff discussed hearing dates and associated procedural deadlines.

On March 28, 2011, a Procedural Order was issued setting a hearing and associated procedural deadlines.

On May 17, 2011, Applicant filed a Notice of Filing Affidavit of Publication, indicating compliance with the publication and mailing of notice required by the March 28, 2011, Procedural Order.

On May 20, 2011, Applicant filed a Notice of Withdrawal of Waiver Request.

By Procedural Order issued June 15, 2011, Corte Bella Country Club Association, Inc. was

1 granted intervention.

2 On June 29, 2011, EPCOR Water (USA) Inc. ("EPCOR USA") filed an Application for Leave  
3 to Intervene.

4 On June 30, 2011, the Town of Paradise Valley ("Paradise Valley") filed a Motion to  
5 Intervene.

6 On July 1, 2011, Maher M. Hazine filed a Motion to Intervene.

7 There have been no objections filed to the intervention requests of EPCOR USA, Paradise  
8 Valley, and Maher M. Hazine.

9 IT IS THEREFORE ORDERED that EPCOR Water (USA) Inc., the Town of Paradise Valley  
10 and Maher M. Hazine are hereby granted intervention in this proceeding.

11 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
12 31, 38, and 42, and A.R.S. § 40-243 with respect to the practice of law.

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

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

22 ...

23 ...

24 ...

25 ...

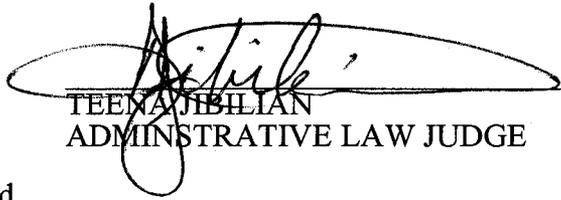
26 ...

27 ...

28

1 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
2 or waive any portion of this procedural order either by subsequent procedural order or by ruling at  
3 hearing.

4  
5 DATED this 8<sup>th</sup> day of July, 2011.

6  
7   
8 TEENA JIBILIAN  
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered  
this 8<sup>th</sup> day of July, 2011 to:

10 Thomas H. Campbell  
11 Michael T. Hallam  
LEWIS AND ROCA, LLP  
40 N. Central Avenue  
Phoenix, AZ 85004  
12 Attorneys for Arizona-American Water Co.

Andrew M. Miller, Town Attorney  
TOWN OF PARADISE VALLEY  
6401 E. Lincoln Drive  
Paradise Valley, AZ 85253

13 Daniel Pozefsky, Chief Counsel  
14 RUCO  
1110 W. Washington, Suite 220  
Phoenix, AZ 85007

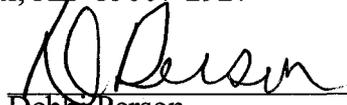
Maher M. Hazine  
39506 N. Daisy Mountain Dr. Suite 122-488  
Anthem, AZ 85086

15 Robert Rials, President  
16 CORTE BELLA COUNTRY CLUB  
ASSOCIATION, INC.  
17 22155 North Mission Drive  
Sun City West, AZ 85375

Janice Alward, Chief Counsel  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007-2927

18 Jay L. Shapiro  
19 Patrick J. Black  
FENNEMORE CRAIG, PC  
20 3003 N. Central Ave., Suite 2600  
Phoenix, AZ 85012  
21 Attorneys for EPCOR Water (USA) Inc.

Steven Olea, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007-2927

22  
23  
24  
25  
26  
27  
28  
By:   
Debbi Person  
Assistant to Teena Jibilian