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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION  
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DOCKETED BY

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF TUSAYAN WATER DEVELOPMENT ASSOCIATION, INC. FOR ESTABLISHMENT OF RATES FOR WATER SERVICE.

DOCKET NO. W-02350A-10-0163

IN THE MATTER OF THE APPLICATION OF ANASAZI WATER CO., LLC FOR ADJUDICATION "NOT A PUBLIC SERVICE CORPORATION."

DOCKET NO. W-20765A-10-0432

IN THE MATTER OF THE APPLICATION OF HYDRO-RESOURCES, INC. FOR ADJUDICATION "NOT A PUBLIC SERVICE CORPORATION."

DOCKET NO. W-20770A-10-0473

PROCEDURAL ORDER

**BY THE COMMISSION:**

On April 29, 2010, Tusayan Water Development Association, Inc. ("Tusayan") filed with the Arizona Corporation Commission ("Commission"), in Docket No. W-02350A-10-0163 ("Tusayan Docket"), a rate application using a test year ending December 31, 2009.

Since that time, through a series of events more fully described in the Procedural Order issued in this matter on April 20, 2011, processing of Tusayan's rate application has been suspended; Tusayan has been deemed to have filed an adjudication application; Tusayan's adjudication application has been consolidated with adjudication applications filed by Hydro-Resources, Inc. ("Hydro") and Anasazi Water Company, LLC ("Anasazi"); intervention has been granted to Tusayan Ventures LLC ("T Ventures") and to the Town of Tusayan ("Town"); the Commission's Utilities Division ("Staff") has found all three adjudication applications to be sufficient; and a procedural schedule has been established that includes a hearing to commence on September 9, 2011,<sup>1</sup> and continue on September 21, 2011, along with other procedural requirements and deadlines.

<sup>1</sup> A Staff request to have the hearing commence on September 21, 2011, filed on April 20, 2011, was deemed denied after 20 days.

1 On June 8, 2011, Hydro filed Certification of Mailing and Publication of Notice, showing that  
2 notice had been published in the *Williams-Grand Canyon News* on four consecutive weeks from  
3 April 13, 2011, through May 4, 2011, and stating that Hydro had mailed a copy of the notice to all  
4 affected property owners on May 18, 2011.

5 On June 20, 2011, Hydro filed the Direct Testimony of John W. Rueter, and Anasazi filed the  
6 Direct Testimony of Pamela Fain. On the same day, Tusayan provided a courtesy copy of the Direct  
7 Testimony of Christopher Brainard, which was subsequently docketed on June 22, 2011, along with a  
8 Motion for Extension of Time to File Direct Testimony explaining that Tusayan's original filing with  
9 Docket Control had been rejected, unbeknownst to Tusayan until two days later, because Tusayan  
10 had not provided sufficient copies with the filing.<sup>2</sup>

11 On July 19, 2011, Staff filed Staff's Request for Extension of Time ("Staff's Request"),  
12 requesting that Staff's deadline to file its Direct Testimony be extended from July 20, 2011, to July  
13 27, 2011, and explaining that Staff had contacted all of the parties regarding the request and that none  
14 of the parties had any objection. Staff further requested that all Intervenors likewise be granted a  
15 one-week extension to file Direct Testimony.

16 On July 20, 2011, T Ventures filed a Notice stating that it will not be filing any Direct  
17 Testimony or offering any witnesses in this consolidated matter, but will participate only through  
18 cross-examination of other parties' witnesses. T Ventures further stated that it supports Staff's  
19 Request.

20 Because no party objects to Staff's Request, and no party should be prejudiced thereby, it is  
21 reasonable and appropriate to grant Staff's Request.

22 **IT IS THEREFORE ORDERED that the deadline for Staff and Intervenors to file direct**  
23 **testimony and associated exhibits to be presented at hearing is hereby extended to July 27,**  
24 **2011.**

25 ...

26 ...

27 \_\_\_\_\_  
28 <sup>2</sup> In light of the reason for and nature of the delay in timely filing Direct Testimony, no Motion for Extension was necessary.

1 IT IS FURTHER ORDERED that the remaining provisions of the Procedural Order of  
2 April 20, 2011, remain unchanged.

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

6 DATED this 21<sup>st</sup> day of July, 2011.

7  
8   
9 SARAH N. HARPRING  
10 ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed/delivered  
12 this 21<sup>st</sup> day of July, 2011, to:

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By:   
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