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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

AUG 1 2011

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
MONTEZUMA RIMROCK WATER COMPANY
LLC FOR AN EMERGENCY RATE INCREASE.

DOCKET NO. W-04254A-11-0296

PROCEDURAL ORDER

BY THE COMMISSION:

On July 25, 2011, Montezuma Rimrock Water Company LLC ("Montezuma Rimrock") filed with the Arizona Corporation Commission ("Commission") an application for an emergency rate increase, requesting that Montezuma Rimrock be authorized to charge each of its customers a monthly surcharge of \$15.64, which is designed to increase Montezuma Rimrock's annual revenues by \$37,536, thereby making Montezuma Rimrock eligible to obtain a loan of \$165,000 from a private lending institution to fund construction and installation of an arsenic treatment system. The water from Montezuma Rimrock's system currently exceeds the maximum contaminant level ("MCL") for arsenic established by the United States Environmental Protection Agency ("EPA") and enforced by the Arizona Department of Environmental Quality ("ADEQ"). ADEQ, through Amendment #1 to Consent Order in Docket No. DW-36-10, has provided Montezuma Rimrock a deadline of April 7, 2012, to complete construction of the approved arsenic treatment system and to submit an administratively complete application for an Approval of Construction for the arsenic treatment system.

It is now appropriate to schedule a procedural conference to discuss the schedule for this proceeding, the notice that must be provided by Montezuma Rimrock, and other procedural matters.

IT IS THEREFORE ORDERED that a **procedural conference shall commence on August 10, 2011, at 1:00 p.m. in Room 100** at the Commission's offices at 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the Commission's Utilities Division ("**Staff**") shall attend

1 the procedural conference **in person** and that **Montezuma Rimrock may attend** the procedural
2 conference **telephonically if it follows the procedure in the next ordering paragraph.**

3 IT IS FURTHER ORDERED that **if Montezuma Rimrock desires to attend the procedural**
4 **conference telephonically**, Montezuma Rimrock shall contact the Hearing Division, by phone at 602-
5 542-4250 and by e-mail at dbroyles@azcc.gov and dperson@azcc.gov, as soon as possible but **no**
6 **later than 4:00 p.m. on August 9, 2011**, to provide the telephone number at which the party's
7 representative shall be available at the scheduled time to participate in the procedural conference.

8 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
9 Communications) applies to this proceeding.

10 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
11 31 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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

15 DATED this 1st day of August, 2011.

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SARAH N. HARPRING
ADMINISTRATIVE LAW JUDGE

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21 Copies of the foregoing mailed/delivered and e-mailed
this 1st day of August, 2011, to:

22 Patricia D. Olsen, Manager
23 MONTEZUMA RIMROCK WATER COMPANY LLC
24 P.O. Box 10
Rimrock, AZ 86335
patsy@montezumawater.com

25 Douglas C. Fitzpatrick
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49 Bell Rock Plaza
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Attorney for Montezuma Rimrock Water Company LLC

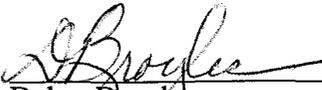
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5 Janice Alward, Chief Counsel
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19 azrs@az-reporting.com

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25
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27 By: 
28 Debra Broyles
Secretary to Sarah N. Harpring

¹ Although Mr. Dougherty does not have intervenor status in this case, he is included on the service list herein because of his request, filed in Docket No. W-04254A-08-0361 et al. on April 7, 2011, requesting to be included on the service list for all documents and notifications of hearing or any other proceedings involving Montezuma Rimrock.