



0000131900

**ORIGINAL
RECEIVED**

BEFORE THE ARIZONA CORPORATION COMMISSION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

GARY PIERCE
Chairman

BOB STUMP
Commissioner

PAUL NEWMAN
Commissioner

SANDRA D. KENNEDY
Commissioner

BRENDA BURNS
Commissioner

2011 NOV 22 P 4: 29

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED
NOV 22 2011

DOCKETED BY	<i>MM</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

**MOTION TO REINSTATE TIME
CLOCK**

Through this filing, Arizona-American Water Company ("Arizona-American") respectfully requests that the Administrative Law Judge reinstate the time clock for the processing of Arizona-American's Application pursuant to AAC R14-2-103(11).

As set forth in Staff's Sufficiency Letter dated December 22 , 2010, the original time clock for the processing of the Company's Application pursuant to AAC R14-2-103(B)(11) was December 19, 2011. Following the discovery of errors by the Company of its noticing of customers, the Administrative Law Judge, in a Procedural Order dated August 17, 2011, suspended the time clock pursuant to A.A.C. R14-2-103(B)(11)(e)(ii). The Administrative Law Judge also continued the evidentiary portion of the hearing originally scheduled to commence on August 17, 2011. Thereafter, in a Procedural Order dated September 23, 2011, the Administrative Law Judge scheduled the commencement of the evidentiary hearing for December 5, 2011.

1 As described above, the evidentiary portion of the hearing in this matter was
2 continued for 110 days. Through this filing, the Company respectfully requests that the
3 time clock in this matter be reinstated to account for the 110 day continuance. Under the
4 original schedule, the time clock would have concluded on December 19, 2011. As a
5 result, the Company requests that the time clock be reinstated to expire on April 7, 2012
6 (*i.e.*, 110 days after December 19, 2011).

7 The Company recognizes the cause of the continuance of the hearing dates in this
8 matter was its failure to properly notice its customers. However, it has remedied that
9 failure through additional noticing to the affected customers. As a result, it is appropriate
10 to reinstate the time clock to conclude on April 7, 2012.

11
12 RESPECTFULLY SUBMITTED this 22nd day of November, 2011.

13 LEWIS AND ROCA LLP

14 

15
16 Thomas H. Campbell
17 Michael T. Hallam
18 40 North Central Avenue
19 Phoenix, AZ 85004
20 Attorneys for Arizona-American Water
21 Company

22 ORIGINAL and thirteen (13) copies
23 of the foregoing filed
24 this 22nd day of November, 2011, with:

25 The Arizona Corporation Commission
26 Utilities Division – Docket Control
1200 W. Washington Street
Phoenix, Arizona 85007

Copy of the foregoing hand-delivered
this 22nd day of November, 2011, to:

Steve Olea
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

1 Dwight D. Nodes, Administrative Law Judge
Hearing Division
2 Arizona Corporation Commission
1200 W. Washington Street
3 Phoenix, Arizona 85007

4 Janice Alward, Chief Counsel
Charles Hains
5 Legal Department
Arizona Corporation Commission
6 1200 W. Washington Street
Phoenix, Arizona 85007

7
8 Copy of the foregoing mailed
this 22nd day of November, 2011, to:

9 Michelle Wood
Residential Utility Consumer Office
10 1110 W. Washington Street, Suite 220
Phoenix, AZ 85007

11 Joan S. Burke
Law Office of Joan S. Burke
12 1650 N. First Ave
Phoenix, AZ 85003
13 Attorney for Corte Bella

14 Greg Patterson, Director
Water Utility Association of Arizona
15 916 W. Adams, Suite 3
Phoenix, AZ 85007

16 Kenneth Hewitt
18729 N. Palmero Court
17 Surprise, AZ 85387

18 Michele L. Van Quathem
Ryley Carlock & Applewhite, P.A.
19 One North Central, Suite 1200
Phoenix, AZ 85004-4417
20 Attorneys for Verrado and DMB

21 Curtis S. Ekmark
Jason Wood
Ekmark & Ekmark, LLC
22 6720 N. Scottsdale Road, Suite 261
Scottsdale, AZ 85253
23 Attorneys for HOA Class

24 William B. Lipscomb
Kingswood Parke Community
25 Association
14976 W. Bottletree Ave
26 Surprise, AZ 85374

Frederick G. Botha and Mary L. Botha
23024 N. Giovota Drive
Sun City West, AZ 85375

Peter and Rochanne Corpus
8425 N. 181st Drive
Waddell, AZ 85355

Scott T. Waterhouse
18550 W. Kolina Lane
Waddell, AZ 85355

Michael D. Bailey
James Gruber
Surprise City Attorney's Office
16000 N. Civic Center Plaza
Surprise, AZ 85374

Craig and Nancy Plummer
17174 W. Saguaro lane
Surprise, AZ 85388

Sharon Wolcott
20117 N. Painted Cove Lane
Surprise, AZ 85387

Timothy L. & Cindy J. Duffy
19997 N. Half Moon Drive
Surprise, AZ 85374

Jared Evenson, President
Cross River Homeowners Association
1600 W. Broadway Road, Suite 200
Tempe, AZ 85282

Gary D. Hays
The Law Offices of Gary D. Hays
1702 E. Highland Avenue
Phoenix, AZ 85016
Attorney for Cross River HOA

William and Erin Parr
18044 W. Georgia Ct.
Litchfield Park, AZ 85034

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Thomas & Laurie Decatur
8426 N. 181st Drive
Waddell, AZ 85355

Mike Smith, President
Sierra Montana Homeowners Association
c/o Rossmar & Graham
15396 N. 83rd Ave, Bldg. B, Suite 101
Peoria, AZ 85381

Mike Albertson
6634 N. 176th Avenue
Waddell, AZ 85355

Jay L. Shapiro
Patrick J. Black
Fennemore Craig, P.C.
3003 N. Central Ave., Suite 2600
Phoenix, AZ 85012
Attorneys for EPCOR Water (USA)

Brian O'Neal
21373 W. Brittle Bush Lane
Buckeye, AZ 85396

Jayne Williams