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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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

AZ CORP COMMISSION
DOCKET CONTROL

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IN THE MATTER OF THE APPLICATION OF
MICHAEL W. SCHULTZ AND PAMELA J.
SCHULTZ DBA RINCON CREEK WATER
COMPANY, FOR APPROVAL OF SALE OF
ASSETS AND TRANSFER CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-03783A-10-0172

PROCEDURAL ORDER

BY THE COMMISSION:

On May 3, 2010, Michael W. Schultz and Pamela J. Schultz d/b/a Rincon Creek Water Comany ("Rincon Creek"), filed with the Arizona Corporation Commission ("Commission") an application for approval to sell its water system assets and transfer its Certificate of Convenience and Necessity to William Shirley and Gretchen Shirley ("Transferees" and, together with Rincon Creek, the "Applicants").

On December 11, 2010, a hearing was held on the application.

On September 19, 2011, a Procedural Order was issued directing the Applicants and Staff to file briefs addressing certain issues that arose at hearing, and the parties filed their respective briefs as directed.

In its Reply Brief, Rincon Creek co-applicant Shirley requested that, given the circumstances of this case, the Commission consider issuing a decision extinguishing Rincon Creek's CC&N.

Accordingly, a procedural conference shall be scheduled to discuss Rincon Creek's request. In the interest of efficiency, the parties are encouraged to discuss in advance the advisability and procedural implications of potentially granting this request within this docket.

IT IS THEREFORE ORDERED that a **telephonic Procedural Conference** shall commence on **December 15, 2011, at 10:00 a.m.**, and that the parties shall contact the Hearing Division on **December 8, 2011, at 602-542-4250 for further information regarding the call-in phone number.**

Parties may also attend in person at the Commission's Tucson offices, Room 218, 400 West Congress

1 Street, Tucson, Arizona 85701.

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

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 29th day of November, 2011.

9
10 
11 BELINDA A. MARTIN
12 ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
this 29th day of November, 2011, to:

14 Lawrence v. Robertson, Jr.
15 ATTORNEY AT LAW
16 P. O. Box 1448
Tubac, AZ 85646

By: 
Belinda A. Martin

17 Janice Alward, Chief Counsel
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