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BEFORE THE ARIZONA CORPORATION COMMISSION

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2 COMMISSIONERS

- 3 GARY PIERCE - Chairman
- 4 BOB STUMP
- 5 SANDRA D. KENNEDY
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2012 FEB 13 P 12:50

Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION  
DOCKET CONTROL

FEB 13 2012

DOCKETED BY	<i>[Signature]</i>
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8 IN THE MATTER OF THE APPLICATION OF  
9 TRUXTON CANYON WATER COMPANY, INC.  
10 FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-02168A-11-0363

PROCEDURAL ORDER

11 On September 30, 2011, Truxton Canyon Water Company, Inc. ("Truxton" or "Company")  
 12 filed with the Arizona Corporation Commission ("Commission") an application for an increase in its  
 13 water rates and charges, using a test year ("TY") ending June 30, 2011. Truxton's application  
 14 requests authorization to increase its rates to generate an additional \$312,034 in gross revenues per  
 15 year, resulting in a 97.24 percent increase over unaudited test year revenues. Truxton's application  
 16 states that the additional revenues will be obtained through having the Valle Vista Property Owner  
 17 Association ("VVPOA") become a customer of Truxton. Under Truxton's proposed rates, the  
 18 minimum monthly charge for a customer served by a 3/4-inch meter with an average monthly water  
 19 use of 5,818 gallons will decrease from \$28.30 per month to \$25.37.

20 On October 31, 2011, the Commission's Utilities Division ("Staff") issued a Letter of  
 21 Sufficiency in this docket stating that Truxton's application had met the sufficiency requirements as  
 22 outlined in A.A.C. R14-2-103 and that Truxton had been classified as a Class C utility.

23 On November 4, 2011, by Procedural Order, the rate case hearing was set to begin on May 7,  
 24 2012, and other procedural deadlines were established.

25 On December 1, 2011, VVPOA filed a Motion to Intervene in this proceeding.

26 On December 12, 2011, Truxton filed a Notice of Filing Affidavit of Publication and  
 27 Affidavit of Mailing, showing notice of the application had been published on November 25, 2011, in  
 28 the *Kingman Daily Miner*, a newspaper of general circulation in Mohave County.

On January 3, 2012, by Procedural Order, VVPOA was granted intervention in this matter.

On January 31, 2012, Staff filed a Motion to Suspend Timeclock ("Motion"). In its Motion,

1 Staff states that the Company has not provided responses to either Staff's November 21, 2011, data  
2 request or its December 8, 2011, data request. Staff states that while the Company has stated that it  
3 intends to provide responses, it has not been able to provide a specific date certain when it will do so.  
4 Without the information contained in the responses to the data requests, Staff states it cannot move  
5 forward with its analysis and/or preparation of Staff's direct testimony, which is due in approximately  
6 six weeks. Additionally, Staff states it sent a third data request on January 18, 2012, and the  
7 Company has not yet responded.

8 Staff requests a suspension of the timeclock until the Company adequately responds to Staff's  
9 outstanding data requests. Staff states the Company and VVPOA have no objections to Staff's  
10 request.

11 Good cause has been shown and the timeclock in this matter will be suspended. Public notice  
12 of the hearing date has been published and therefore it is appropriate that the May 7, 2012, hearing  
13 date be reserved for the taking of public comments.

14 IT IS THEREFORE ORDERED that timeclock in this matter is hereby suspended.

15 IT IS FURTHER ORDERED that the hearing scheduled to begin on **May 7, 2012, shall be**  
16 **held for public comments only.**

17 IT IS FURTHER ORDERED that **all other procedural deadlines set forth in the**  
18 **November 4, 2011, Procedural Order are hereby suspended.**

19 IT IS FURTHER ORDERED that **Staff shall file a request** to reinstate the timeclock and a  
20 request to reset the procedural schedule, once Staff has received the Company's outstanding data  
21 responses.

22 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
23 Communications) applies to this proceeding, as the matter is now set for public hearing, and shall  
24 remain in effect until the Commission's Decision in this matter is final and non-appealable.

25 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
26 31 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

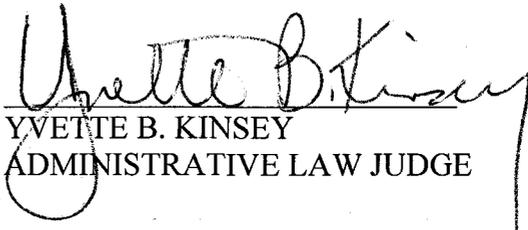
27 ...

28 ...

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

7 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
8 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

9 DATED this 13<sup>th</sup> day of February, 2012.

10  
11  
12   
13 YVETTE B. KINSEY  
ADMINISTRATIVE LAW JUDGE

14 Copies of the foregoing mailed  
15 this 13<sup>th</sup> day of February, 2012 to:

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By:   
Debra Broyles  
Secretary to Yvette B. Kinsey