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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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Arizona Corporation Commission  
DOCKETED

MAR - 5 2012

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*ROB*

IN THE MATTER OF THE APPLICATION  
OF DII-EMERALD SPRINGS, L.L.C. FOR A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE WASTEWATER  
SERVICES.

DOCKET NO. WS-20794A-11-0140

IN THE MATTER OF THE APPLICATION  
OF DII-EMERALD SPRINGS, L.L.C. FOR  
APPROVAL OF RATES.

DOCKET NO. WS-20794A-11-0279

**PROCEDURAL ORDER**

**BY THE COMMISSION:**

This consolidated docket concerns two applications filed by DII-Emerald Springs, L.L.C. ("DII")--an application for a Certificate of Convenience and Necessity ("CC&N") to provide wastewater service, filed on April 4, 2011, in Docket No. WS-20794A-11-0140 ("CC&N Docket"), and an application for ratemaking, filed on July 15, 2011, in Docket No. WS-20794A-11-0279 ("Rate Docket"). The applications filed in the CC&N Docket and Rate Docket were found to be sufficient by the Commission's Utilities Division ("Staff") on August 24, 2011, and August 15, 2011, respectively, and the two dockets were consolidated through a Procedural Order issued on September 15, 2011. The time clock in this consolidated docket was suspended indefinitely by a Procedural Order issued on November 21, 2011. The matter is set for hearing to commence on April 10, 2012.

On February 24, 2012, the Emerald Springs Homeowners' Association ("HOA") filed a Motion to Intervene.

On March 2, 2012, DII filed a Response stating that it does not oppose the HOA's Motion to Intervene.

Accordingly, the HOA's Motion to Intervene should be granted.

**IT IS THEREFORE ORDERED that the Emerald Springs Homeowners' Association is hereby granted intervention.**

**IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized**

1 Communications) applies to this proceeding and shall remain in effect until the Commission's  
2 Decision in this matter is final and non-appealable.

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 5<sup>th</sup> day of March, 2012.

7  
8   
9 SARAH N. HARPRING  
10 ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed/delivered  
12 this 5<sup>th</sup> day of March 2012, to:

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By:

  
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Secretary to Sarah N. Harpring