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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
**DOCKETED**

MAR 28 2012

DOCKETED BY  
*mn*

IN THE MATTER OF THE APPLICATION OF  
PIMA UTILITY COMPANY, AN ARIZONA  
CORPORATION, FOR A DETERMINATION OF  
THE FAIR VALUE OF ITS UTILITY PLANT AND  
PROPERTY AND FOR INCREASES IN ITS  
WATER RATES AND CHARGES FOR UTILITY  
SERVICE BASED THEREON.

DOCKET NO. W-02199A-11-0329

IN THE MATTER OF THE APPLICATION OF  
PIMA UTILITY COMPANY, AN ARIZONA  
CORPORATION, FOR A DETERMINATION OF  
THE FAIR VALUE OF ITS UTILITY PLANT AND  
PROPERTY AND FOR INCREASES IN ITS  
WASTEWATER RATES AND CHARGES FOR  
UTILITY SERVICE BASED THEREON.

DOCKET NO. SW-02199A-11-0330

**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On August 29, 2011, Pima Utility Company ("Pima") filed with the Arizona Corporation Commission applications for rate increases in both its water and wastewater divisions.

On September 29, 2011, the Commission's Utilities Division ("Staff") filed a Letter of Sufficiency in each of the dockets, notifying the Company that the applications were deemed sufficient pursuant to A.A.C. R14-2-103, and classifying the utilities as Class B.

Also on September 29, 2011, Pima filed Motions to Consolidate in both dockets.

On September 30, 2011, a Rate Case Procedural Order was issued consolidating the applications for purposes of hearing, setting a hearing on the consolidated applications, and setting associated procedural deadlines.

On December 20, 2011, the Residential Utility Consumer Office ("RUCO") filed an Application to Intervene, which was granted by Procedural Order issued January 9, 2012.

Numerous public comments have been filed in opposition to the proposed rate increases.

On March 8, 2012, a copy of an email response by Commissioner Burns' office to customer

1 comment emails was docketed.

2 On March 27, 2012, RUCO filed the direct testimonies of its witnesses William A. Rigsby,  
3 Timothy J. Coley, and Robert B. Mease.

4 Also on March 27, 2012, the Commission’s Utilities Division (“Staff”) filed a Motion for  
5 Extension of Time (“Motion”). In its Motion, Staff requested that the procedural schedule  
6 established by the September 30, 2011 Rate Case Procedural Order be modified as follows:

7	Direct Testimony	April 6, 2012
8	Rebuttal	April 27, 2012, noon
9	Surrebuttal	May 18, 2012
	Rejoinder	May 24, 2012, noon

10 The Motion indicates that Staff contacted counsel for the parties, and that the parties are  
11 agreeable to the requested time extensions.

12 The relief requested is reasonable and accordingly, Staff’s Motion should be granted.

13 IT IS THEREFORE ORDERED that the new filing deadlines for prefiled testimony are as  
14 follows:

15	Direct Testimony	April 6, 2012, 4:00 p.m.
16	Rebuttal	April 27, 2012, noon
	Surrebuttal	May 18, 2012, 4:00 p.m.
	Rejoinder	May 24, 2012, noon

17 IT IS FURTHER ORDERED that any **objections to testimony or exhibits that have been**  
18 **prefiled as of May 24, 2012, shall be made before or at the May 24, 2012 prehearing conference.**

19 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and  
20 regulations of the Commission, except that until **April 13, 2012**, any objection to discovery requests  
21 shall be made within 7 calendar days of receipt<sup>1</sup> and responses to discovery requests shall be made  
22 within 10 calendar days of receipt. Thereafter, objections to discovery requests shall be made within  
23 5 calendar days and responses shall be made within 7 calendar days. The response time may be  
24 extended by mutual agreement of the parties involved if the request requires an extensive compilation  
25 effort.

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28 <sup>1</sup> The date of receipt of discovery requests is not counted as a calendar day, and requests received after 4:00 p.m. MST will be considered as received the next business day.

1 IT IS FURTHER ORDERED that in all other respects, the September 30, 2011 Rate Case  
2 Procedural Order remains in full force and effect.

3 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
4 31 and 38, and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

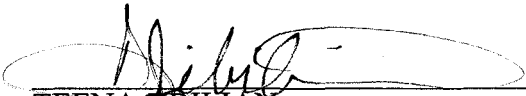
5 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance  
6 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona  
7 Supreme Court Rule 42). Representation before the Commission includes appearances at all hearings  
8 and procedural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

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

14 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
15 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

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

19 DATED this 28<sup>th</sup> day of March, 2012.

21  
22   
23 TEENA TIBILIAN  
ADMINISTRATIVE LAW JUDGE

24 Copies of the foregoing mailed/delivered  
This 28<sup>th</sup> day of March, 2012 to:

25  
26 Jay L. Shapiro  
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