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OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL

2012 APR 23 PM 2 56

Arizona Corporation Commission

DOCKETED

APR 23 2012

DOCKETED BY *[Signature]*

IN THE MATTER OF THE APPLICATION OF
EAGLETAIL WATER COMPANY, L.L.C., FOR
A PERMANENT RATE INCREASE.

DOCKET NO. W-03936A-11-0418

IN THE MATTER OF THE APPLICATION OF
EAGLETAIL WATER COMPANY, L.L.C., FOR
APPROVAL OF A LONG-TERM LOAN AND
GRANT.

DOCKET NO. W-03936A-12-0073

PROCEDURAL ORDER

BY THE COMMISSION:

On November 22, 2011, Eagletail Water Company, L.L.C. ("Eagletail" or "Company"), in Docket No. W-03936A-11-0418, filed with the Commission an application for a rate increase ("Rate Application").

On December 29, 2011, the Company filed corrected schedules in support of its Rate Application, and stated that it had notified customers on December 21, 2011, of the proposed rate increase.

On January 5, 2012, the Commission's Utilities Division ("Staff") filed its Sufficiency Letter stating the Rate Application was sufficient pursuant to Arizona Administrative Code ("A.A.C.") R14-2-103, and classifying Eagletail as a Class E utility.

On February 22, 2012, Staff filed its Staff Report, recommending approval of the Rate Application subject to adoption of Staff's recommended rates and charges, and other compliance recommendations. The Staff Report was sent to Eagletail and indicated that any party could file comments to the Staff Report's recommendations by March 2, 2012. To date, no comments or objections to the Staff Report have been received.

On March 1, 2012, in Docket No. W-03936A-12-0073, Eagletail filed an application for approval to obtain a long-term loan and grant ("Financing Application").

1 On April 6, 2012, a Recommended Order was issued in the Rate Application docket.

2 On April 12, 2012, Staff separately filed in each of the dockets a Joint Motion for
3 Consolidation and Request for Suspension of the Time Clock. The Joint Motion states that the issues
4 in both cases are substantially the same and that consolidation will not prejudice the parties. The
5 Joint Motion also requests a brief suspension of the time clock in the Rate Application docket, and
6 Staff indicates that it will make every effort to process the Financing Application, and provide a
7 revised recommendation in the Rate Application docket, in a timely manner.

8 IT IS THEREFORE ORDERED that **Docket Nos. W-03936A-11-0418 and W-03936A-12-**
9 **0073 are hereby consolidated.**

10 IT IS FURTHER ORDERED that **the applicable time clock rules in Docket No. W-**
11 **03936A-11-0418 is hereby suspended indefinitely pending issuance of a revised Staff**
12 **recommendation.**

13 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
14 31 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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

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

21 DATED this 23rd day of April, 2012.

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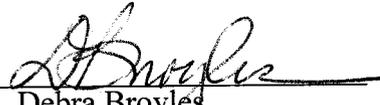
24 DWIGHT D. NODES
25 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE
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1 Copies of the foregoing mailed/delivered
2 this 23rd day of April, 2012 to:

3 Frank Haas
4 Susan Haas
5 EAGLETAIL WATER CO., L.L.C.
6 P.O. Box 157
7 Tonopah, AZ 85354

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11 1200 West Washington Street
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13 Steven M. Olea, Director
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18 By: 
19 Debra Broyles
20 Secretary to Dwight D. Nodes
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