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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

GARY PIERCE - Chairman  
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AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUN 25 2012

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
MONTEZUMA RIMROCK WATER COMPANY,  
LLC FOR APPROVAL OF FINANCING TO  
INSTALL A WATER LINE FROM THE WELL ON  
TIEMAN TO WELL NO. 1 ON TOWERS.

DOCKET NO. W-04254A-12-0204

PROCEDURAL ORDER

**BY THE COMMISSION:**

On May 31, 2012, Montezuma Rimrock Water Company, LLC ("Montezuma") filed with the Arizona Corporation Commission ("Commission") an application for approval of financing in the form of a loan agreement in which Montezuma promises to pay Rask Construction ("Rask") the sum of \$68,592, with interest from May 1, 2012, at a rate of 6 percent per year, for Rask's installation of a water line from the well on Tieman to Well No. 1 on Towers.

On June 7, 2012, John E. Dougherty, III filed a Motion to Intervene ("Motion"), in which Mr. Dougherty requests intervention, sets out his interest in this matter, requests that this docket be consolidated with three other dockets filed by Montezuma on May 31, 2012 (Docket Nos. W-04254A-12-0205, -12-0206, and -12-0207), and asserts that an evidentiary hearing is necessary in this matter.

No response to Mr. Dougherty's Motion has been filed. Thus, it is now appropriate to grant Mr. Dougherty's intervention request.

However, it would be helpful for the Commission to receive responses from Montezuma and the Commission's Utilities Division ("Staff") regarding Mr. Dougherty's requests for consolidation and an evidentiary hearing. Thus, Montezuma and Staff will be required to file such responses. In addition, Montezuma will be required, in its response, to identify who will be serving as Montezuma's representative in this matter.

IT IS THEREFORE ORDERED that **John E. Dougherty, III is hereby granted**

1 **intervention** in this matter.

2 IT IS FURTHER ORDERED that **Montezuma and Staff each shall, by July 16, 2012, file a**  
3 **response to Mr. Dougherty's requests for consolidation and for an evidentiary hearing.**

4 IT IS FURTHER ORDERED that **Montezuma shall identify** in its response who will be  
5 serving as Montezuma's **representative** in this matter.

6 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
7 31 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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

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

14 DATED this 25<sup>th</sup> day of June, 2012.

15  
16  
17   
18 SARAH N. HARPRING  
ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed/delivered  
20 This 25<sup>th</sup> day of June, 2012 to:

21 Patricia Olsen  
22 MONTEZUMA RIMROCK WATER CO., LLC  
23 P.O. Box 10  
24 Rimrock, AZ 86335

Steven Olea, Director, Utilities Division  
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23 John E. Dougherty, III  
24 P.O. Box 501  
25 Rimrock, AZ 86335

By:   
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Assistant to Sarah N. Harpring

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