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IN THE MATTER OF THE APPLICATION OF AVRA WATER CO-OP, INC, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE FAIR VALUE OF ITS UTILITY PROPERTY AND FOR AN INCREASE IN ITS WATER RATES AND CHARGES FOR UTILITY SERVICES.

DOCKET NO. W-02126A-11-0480
**RESPONSE TO STAFF'S
REQUEST FOR
MODIFICATION TO THE RATE
CASE PROCEDURAL
SCHEDULE AND REQUEST
FOR PROCEDURAL
CONFERENCE**

Avra Water Co-op Inc. ("Avra"), through undersigned counsel, hereby responds to Staff's Request for Modification to the Procedural Schedule and Request for a Procedural Conference. On July 19, 2012, counsel for Staff contacted undersigned counsel requesting the following modification to the rate case procedural schedule which would extend Staff's Direct Testimony filing by two weeks as follows:

Staff/Intervenor Direct Testimony	August 10, 2012
Staff/Intervenor Direct Testimony (Rate Design and COS)	August 17, 2012
Rebuttal Testimony	September 24, 2012
Staff/Intervenor Surrebuttal Testimony	October 16, 2012
Rejoinder Testimony	October 30, 2012
Prehearing	November 1, 2012
Hearing	November 5, 2012

1 Staff's proposal also moves the Pre-hearing Conference and Hearing dates to
2 November 1 and 5, 2012 respectively. In response, undersigned counsel indicated by e-
3 mail that Avra appreciated Staff's efforts in this case and wanted to be accommodating
4 but was concerned by Staff's proposal because it assumed that the Administrative Law
5 Judge ("ALJ"), would be available on November 1, 2012 to conduct the pre-hearing
6 conference and November 5-6, 2012 to conduct the rate case hearing. Avra's concern was
7 that due to the heavy workload of the hearing division, these dates may not be available
8 and the hearing would not take place in a timely manner. In an effort to accommodate
9 Staff and not burden the hearing division, Avra proposed the following alternative
10 schedule that maintained the current pre-hearing conference and hearing dates:
11

12 Staff/Intervenor Direct Testimony	August 10, 2012
13 Staff/Intervenor Direct - (Rate Design and COS)	August 17, 2012
14 Rebuttal Testimony	September 21, 2012
15 Staff/Intervenor Surrebuttal Testimony	October 05, 2012
16 Rejoinder Testimony	October 18, 2012
17 Prehearing	October 18, 2012
18 Hearing	October 23, 2012

19 In response, Staff indicated that if Avra agreed to move the deadline of Staff's
20 Surrebuttal Testimony to October 12, 2012 and Avra's Rejoinder Testimony to October
21 18, 2012, that schedule would be acceptable to Staff. Because that would only allow for
22 six days (including Saturday and Sunday) to prepare and file its Rejoinder Testimony,
23 Avra informed Staff that it could not accept those dates.

24 Although Avra would like to accommodate Staff in this instance, it is concerned
25 that the rate case will be unduly delayed because of hearing division's heavy workload. If
26 the hearing can be conducted by November 5, 2012 or before, Avra has no objection to

1 Staff's proposal. If the ALJ is not available during the timeframe of November 5, 2012 to
2 conduct the hearing, then Avra would propose adoption of Avra's procedural schedule
3 above (or schedule a procedural conference). If such a procedural conference is scheduled
4 to discuss this matter, undersigned counsel would respectfully request that the parties be
5 allowed to participate telephonically.
6

7 RESPECTFULLY SUBMITTED this 23rd day of July, 2012.
8

9 MUNGER CHADWICK, P.L.C.

10 

11 Robert J. Metli, Esq.
12 2398 E. Camelback Road, Suite 240
13 Phoenix, Arizona 85016
14 Attorney for Avra Water Co-op, Inc.

15 ORIGINAL and 13 copies of the
16 foregoing hand-delivered for filing
17 this 23rd day of July, 2012, to:

18 Docket Control
19 ARIZONA CORPORATION COMMISSION
1200 West Washington
20 Phoenix, Arizona 85007

21 COPIES of the foregoing *e-mail/delivered
22 this 23rd day of July, 2012, to:

23 *Jane L. Rodda
24 Administrative Law Judge
25 ARIZONA CORPORATION COMMISSION
400 West Congress, Suite 218
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