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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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2012 JUL 21 P 2: 17

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

JUL 27 2012

DOCKETED BY *JM*

IN THE MATTER OF THE APPLICATION OF
AVRA WATER CO-OP, INC. 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

PROCEDURAL ORDER
(modifies dates)

BY THE COMMISSION:

By Procedural Order dated February 7, 2012, the hearing and procedural schedule were set in this matter as follows:

Staff/Intervenor Direct Testimony	July 27, 2012
Staff/Intervenor Direct Testimony re Rate Design	August 6, 2012
Rebuttal Testimony	September 9, 2012
Surrebuttal Testimony	October 2, 2012
Rejoinder Testimony	October 16, 2012
Prehearing Conference	October 18, 2012
Hearing	October 23, 2012

On July 20, 2012, the Commission's Utilities Division ("Staff") filed a Request for Modification to the Procedural Schedule and Request for Procedural Conference. In its Request, Staff reported that the lead analyst assigned to the matter was unexpectedly called out of town and is not expected to return until approximately July 25, 2012. Staff states that due to that development, it needs additional time to file direct testimony. Staff proposed the following modified schedule:

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

1 Staff and Avra Water Co-op, Inc. ("Avra") could not reach an agreement to modify the testimony
2 dates, but keep the current hearing dates, and to the extent necessary, Staff requested a procedural
3 conference to address the issue.

4 On July 23, 2012, Avra filed a Response to Staff's Request for a modification to the
5 procedural schedule. Avra states that it wants to cooperate with Staff, but was concerned that the
6 Administrative Law Judge would not be available on November 1, 2012 or November 5-6, 2012, to
7 preside at the proposed rescheduled pre-hearing conference or hearing, and that the hearing in this
8 matter might be delayed beyond the requested two week continuance. Avra states further that if the
9 hearing can be conducted by November 5, 2012, it has no objections to Staff's proposal.

10 No party has intervened in this matter. Staff's proposed modified schedule does not present a
11 conflict for the Administrative Law Judge. Staff's request is reasonable under the circumstances, and
12 should be adopted.¹ Because the matter has already been noticed to Avra customers, the original
13 hearing date of October 23, 2012, will be utilized for Public Comment.

14 IT IS THEREFORE ORDERED that the February 7, 2012 Procedural Order is modified as set
15 forth herein below.

16 IT IS FURTHER ORDERED that a **Public Comment Meeting** shall convene on **October 23,**
17 **2012, at 10:00 a.m.,** at the Commission's Tucson offices, **Room 222, 400 West Congress, Tucson,**
18 **Arizona 85701,** and that the originally scheduled **prehearing on October 18, 2012, is vacated.**

19 IT IS FURTHER ORDERED that the **hearing** in this matter shall be continued to commence
20 on **November 5, 2012, at 10:00 a.m.,** or as soon thereafter as is practical, at the Commission's
21 offices, **Room 222, 400 West Congress, Tucson, Arizona 85701.**

22 IT IS FURTHER ORDERED that a **telephonic pre-hearing conference shall be held on**
23 **November 1, 2012, at 10:00 a.m.,** at the Commission's Tucson Offices, Room 218, 400 West
24 Congress, Tucson, Arizona, 85701, for the purpose of scheduling witnesses and the conduct of the
25 hearing. The parties should contact the Hearing Division at (620) 542-4250 prior to the scheduled
26 pre-hearing conference date obtain directions for participating telephonically.

27
28 ¹ The hearing Division appreciates the parties' attempts to work together and be accommodating.

1 IT IS FURTHER ORDERED that any **direct testimony (except that related to rate design**
2 **and cost of service)** and associated exhibits to be presented at hearing on behalf of **Staff or**
3 **Intervenors** shall be reduced to writing and filed on or before **August 10, 2012.**

4 IT IS FURTHER ORDERED that any **direct testimony related rate design and cost of**
5 **service** and associated exhibits to be presented at hearing on behalf of **Staff and Intervenors** shall be
6 reduced to writing and filed on or before **August 17, 2012.**

7 IT IS FURTHER ORDERED that any **rebuttal testimony** and associated exhibits to be
8 presented at hearing by the **Company** shall be reduced to writing and filed on or before **September**
9 **24, 2012.**

10 IT IS FURTHER ORDERED that any **surrebuttal testimony** and associated exhibits to be
11 presented by the Staff and/or intervenors shall be reduced to writing and filed on or before **October**
12 **16, 2012.**

13 IT IS FURTHER ORDERED that any **rejoinder testimony** and associated exhibits to be
14 presented at the hearing by the Company shall be reduced to writing and filed on or before **October**
15 **30, 2012.**

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

19 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
20 pursuant to Rule 6(a) or (3) of the Rules of Civil Procedure.

21 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
22 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

23 DATED this 24th day of July, 2012.

24
25
26 
27 JANE L. RODDA
28 ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed
this 24th day of July, 2012 to:

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