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BEFORE THE ARIZONA CORPORATION COMMISSION
Arizona Corporation Commission

COMMISSIONERS

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

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IN THE MATTER OF THE APPLICATION OF
TRUXTON CANYON WATER COMPANY, INC.
FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-02168A-11-0363

PROCEDURAL ORDER
SETTING PROCEDURAL
CONFERENCE

On September 30, 2011, Truxton Canyon Water Company, Inc. ("Truxton" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for an increase in its water rates and charges, using a test year ("TY") ending June 30, 2011. Truxton's application requests authorization to increase its rates to generate an additional \$312,034 in gross revenues per year, resulting in a 97.24 percent increase over unaudited test year revenues. Truxton's application states that the additional revenues will be obtained through having the Valle Vista Property Owner Association ("VVPOA") become a customer of Truxton.

On October 31, 2011, the Commission's Utilities Division ("Staff") issued a Letter of Sufficiency in this docket stating that Truxton's application had met the sufficiency requirements as outlined in A.A.C. R14-2-103 and that Truxton had been classified as a Class C utility.

On November 4, 2011, by Procedural Order, the rate case hearing was set to begin on May 7, 2012, and other procedural deadlines were established.

On December 1, 2011, VVPOA filed a Motion to Intervene in this proceeding.

On December 12, 2011, Truxton filed a Notice of Filing Affidavit of Publication and Affidavit of Mailing, showing notice of the application had been published on November 25, 2011, in the *Kingman Daily Miner*, a newspaper of general circulation in Mohave County.

On January 3, 2012, by Procedural Order, VVPOA was granted intervention in this matter.

On January 31, 2012, Staff filed a Motion to Suspend Timeclock. In its Motion, Staff stated that the Company had not provided responses to either Staff's November 21, 2011, data request or its

1 December 8, 2011, data request. Without the information contained in the responses to the data
2 requests, Staff stated it could not move forward with its analysis and/or preparation of Staff's direct
3 testimony, which was due in approximately six weeks. Staff requested a suspension of the timeclock
4 until the Company adequately responded to Staff's outstanding data requests.

5 On February 13, 2012, a Procedural Order was issued suspending the timeclock in this matter
6 and the May 7, 2012, hearing date was reserved for the taking of public comments only.
7 Additionally, Staff was ordered to file a request to reinstate the timeclock and a request to reset the
8 procedural schedule, once Staff had received the Company's outstanding data responses.

9 On September 5, 2012, Staff filed a Request for Procedural Order ("Request"). The Request
10 states that Staff is concerned with the lapse of time since the rate case was filed; Truxton still has not
11 responded to outstanding data requests; and that once the responses to data requests are received the
12 test year data will be stale and likely no longer representative of the Company's current financial
13 situation. Staff requests that the Company be ordered to update its application with revised data
14 reflecting a test year using the twelve months ending June 30, 2012, and that the Company be given
15 until October 31, 2012, to provide the updated data.

16 It is appropriate to schedule a procedural conference to discuss Staff's Request and for the
17 Company to provide an update on the status of its application.

18 IT IS THEREFORE ORDERED that a **procedural conference** shall be held on **September**
19 **17, 2012, at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room
20 No. 1, Phoenix, Arizona.

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

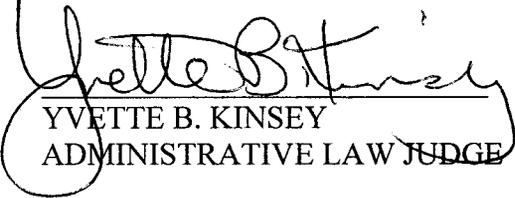
24 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
25 31 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

26 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
27 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
28 Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at

1 all hearings, procedural conferences, and Open Meetings for which the matter is scheduled for
2 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
3 Law Judge or Commission.

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

6 DATED this 6th day of September, 2012.

7
8 
9 YVETTE B. KINSEY
10 ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed
12 this 6th day of September, 2012 to:

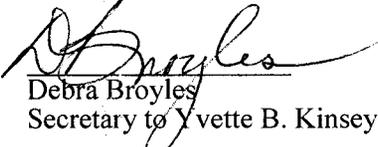
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26 By: 
27 Debra Broyles
28 Secretary to Yvette B. Kinsey