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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

- BOB STUMP – Chairman
- GARY PIERCE
- BRENDA BURNS
- BOB BURNS
- SUSAN BITTER SMITH

CORP COMMISS
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[Signature]

IN THE MATTER OF THE APPLICATION
OF JOHNSON UTILITIES, L.L.C. FOR
APPROVAL TO EXTEND ITS
CERTIFICATES OF CONVENIENCE AND
NECESSITY FOR WATER AND
WASTEWATER SERVICES.

DOCKET NO. WS-02987A-12-0136

**PROCEDURAL ORDER AMENDS
PROCEDURAL DEADLINES**

BY THE COMMISSION:

On April 6, 2012, Johnson Utilities, L.L.C. (“Johnson”) filed with the Arizona Corporation Commission (“Commission”) an application for approval to extend its Certificate of Convenience and Necessity (“CC&N”) to provide water and sewer services to an area known as Bella Vista North (located approximately 0.7 miles from the Town of Florence) and Merrill Ranch Expansion #1 (located within the limits of the Town of Florence).

On April 18, 2012, Johnson filed supplements to its application.

On May 7, 2012, the Commission’s Utilities Division (“Staff”) issued an Insufficiency Letter, stating that Johnson’s application had not met the sufficiency requirements as set forth in the Arizona Administrative Code (“A.A.C”).

On May 23, 2012, Johnson filed responses to Staff’s Insufficiency Letter.

On July 27, 2012, Johnson filed additional information in support of its application.

On November 30, 2012, Johnson filed an amended legal description which, at the developer’s request, deleted a portion of the requested extension area.

On December 20, 2012, Johnson filed an updated legal description.

On February 6, 2013, Staff filed a Sufficiency Letter in this docket stating that Johnson’s application has met the sufficiency requirements as outlined in the A.A.C.

On February 12, 2013, by Procedural Order, the matter was scheduled for hearing and

1 deadline dates were established.

2 On March 8, 2013, counsel for Johnson filed a Request to Modify the Procedural Schedule
3 (“Request”). Johnson requests an extension of the deadline, from March 12, 2013 to April 2, 2013,
4 for Staff to file the Staff Report and any associated exhibits in this matter. Johnson also requests that
5 the time period for filing objections to the Staff Report be extended from April 5, 2013 to April 12,
6 2013, and that the hearing date and all other procedural deadlines remain the same. Johnson states
7 that Staff supports the requested changes in the procedural deadlines.

8 **IT IS THEREFORE ORDERED that Johnson’s request for an extension of the deadline,**
9 **from March 12, 2013 to April 2, 2013, to file the Staff Report and any associated exhibits, is**
10 **hereby granted.**

11 **IT IS FURTHER ORDERED that Johnson’s request for an extension of the procedural**
12 **deadline, from April 5, 2013 to April 12, 2013, to file objections to the Staff Report and any**
13 **associated exhibits, is hereby granted.**

14 IT IS FURTHER ORDERED that all other procedural deadlines set forth in the February 12,
15 2013, Procedural Order shall remain in effect.

16 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
17 Communications) applies to this proceeding as the matter is now set for public hearing, and shall
18 remain in effect until the Commission’s Decision in this matter is final and non-appealable.

19 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
20 31 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

21 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
22 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
23 Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at
24 all hearings, procedural conferences, and Open Meetings for which the matter is scheduled for
25 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
26 Law Judge or Commission.

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

4 DATED this 12th day of March, 2013.

5 
6 YVETTE B. KINSEY
7 ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed
9 this 12th day of March, 2013, to:

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28 Assistant to Yvette B. Kinsey