

ORIGINAL



RECEIVED

FENNEMORE CRAIG
A Professional Corporation
Patrick J. Black (No. 017141)
2394 E. Camelback Road, Suite 600
Phoenix, Arizona 85015
Telephone (602) 916-5000

2013 MAR 15 P 3: 06

Arizona Corporation Commission
DOCKETED

MAR 15 2013

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL



Attorneys for Cordes Lakes Water Company

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE
APPLICATION OF CORDES LAKES
WATER COMPANY FOR APPROVAL
OF A RATE INCREASE

DOCKET NO: W-02060A-12-0356

**MOTION FOR CONTINUANCE OF
HEARING**

Pursuant to A.A.C. R14-3-106(K), Cordes Lakes Water Company ("Cordes Lakes" or "Applicant") hereby files this Motion for Continuance.

Cordes Lakes filed a short form rate application on August 6, 2012. On October 22, 2012, a procedural order was issued setting the evidentiary hearing for March 19, 2013. In addition, the procedural schedule required Staff to file Direct Testimony (and associated exhibits) on February 8, 2013; Rebuttal Testimony on February 22, 2013, and Surrebuttal Testimony on March 1, 2013. Staff filed its Direct Testimony on February 8, 2013. However, Applicant was not prepared to address several of the issues raised by Staff, and subsequently looked to engage the services of a regulatory accountant and utility attorney to assist with its rebuttal, and the case overall. As a result, Cordes Lakes has not filed any Rebuttal Testimony in this proceeding. As such, the Company is not prepared for the March 19, 2013 evidentiary hearing.

Cordes Lakes believes that a continuance of at least sixty (60) days will allow the Company the time it needs to prepare and file Rebuttal Testimony. In addition, Staff will need at least seven (7) days to prepare any surrebuttal testimony. Finally, the Company

1 believes that some time to explore a settlement agreement with Staff on any disputed
2 issues would be in the public interest.

3 Cordes Lakes believes that the Parties can discuss and establish a new procedural
4 schedule with the Administrative Law Judge during the March 19, 2013 hearing. The
5 Company is aware that any new schedule will require a second notice, and an extension of
6 time for interested parties to seek intervention.

7 RESPECTFULLY SUBMITTED this 15th day of March, 2013.

8 FENNEMORE CRAIG, P.C.

9
10 By 
11 Patrick J. Black
12 2394 E. Camelback Road, Suite 600
13 Phoenix, Arizona 85016
14 Attorneys for Cordes Lakes Water Co.

14 ORIGINAL and thirteen (13) copies of the
15 foregoing, were filed
16 this 15th day of March, 2013, to:

16 Docket Control
17 Arizona Corporation Commission
18 1200 W. Washington St.
19 Phoenix, AZ 85007

18 COPY hand-delivered/mailed/emailed
19 this 15th day of March, 2013 to:

20 Marc E. Stern, Esq.
21 Administrative Law Judge
22 Hearing Divison
23 Arizona Corporation Commission
24 1200 W. Washington St.
25 Phoenix, AZ 85007

24 Robin Mitchell, Esq.
25 Legal Division
26 Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

1 Steven M. Olea
2 Director, Utilities Division
3 Arizona Corporation Commission
4 1200 West Washington
5 Phoenix, AZ 85007

6
7 By: W.M. McCarben

8 8013941.1/030778.0001

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26