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THE ARIZONA CORPORATION COMMISSION Arizona Corporation Commission

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COMMISSIONERS

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

DOCKET NO. W-02060A-12-0356

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

**PROCEDURAL ORDER**  
**(Grants Continuance)**

**BY THE COMMISSION:**

On August 6, 2012, Cordes Lakes Water Company (“Company” or “Applicant”) filed with the Arizona Corporation Commission (“Commission”) an application for an increase in its permanent rates and charges.

On August 30, 2012, the Company sent an e-mail to the Commission’s Utilities Division (“Staff”) requesting additional time to file information so that Staff would be able to make a sufficiency determination on the Company’s application.

On September 5, 2012, Staff filed a response which effectively tolled the time frame in the proceeding and indicated that Staff would delay its determination of sufficiency until the information was received from the Company

On September 25, 2012, the Company filed additional information to enable Staff to make a sufficiency determination on the application.

On October 17, 2012, Staff filed a letter indicating the Company’s rate application was sufficient, and classifying the Company as a Class C utility.

On October 22, 2012, pursuant to A.A.C. R14-3-101, the Commission issued a Procedural Order to govern the preparation and conduct of this proceeding. Additionally, a hearing was scheduled to commence on March 19, 2013.

On November 8, 2012, the Company filed an amendment to its application and included certification that public notice had been provided pursuant to the Commission’s Procedural Order in this matter.

1 On February 8, 2013, Staff filed its direct testimony in this proceeding.

2 On March 15, 2013, the Company's recently retained counsel filed a Motion for Continuance  
3 ("Motion") in the proceeding because the Company was in the process of retaining an expert to late-  
4 file rebuttal testimony to address several issues which were raised by Staff in its direct testimony.

5 On March 19, 2013, a full public hearing was commenced before a duly authorized  
6 Administrative Law Judge of the Commission, at its offices in Phoenix, Arizona. The Company and  
7 Staff appeared with counsel. No one appeared to make public comment, and Staff indicated that it  
8 did not object to the Company's Motion. The parties agreed further that the proceeding be continued  
9 to June 13, 2013.

10 Accordingly, the proceeding should be continued and additional filing dates established.

11 IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be  
12 continued from **March 19, 2013, to June 13, 2013, at 9:30 a.m.**, or as soon thereafter as is practical,  
13 at the Commission's offices, 1200 West Washington Street, Hearing Room No. 2, Phoenix, Arizona.

14 IT IS FURTHER ORDERED that any **rebuttal testimony and associated exhibits** to be  
15 presented at hearing by the **Company** shall be reduced to writing and filed on or before **May 3, 2013**.

16 IT IS FURTHER ORDERED that any **surrebuttal testimony and associated exhibits** to be  
17 presented by the **Staff** shall be reduced to writing and filed on or before **May 17, 2013**.

18 IT IS FURTHER ORDERED that any rejoinder testimony and associated exhibits to be  
19 presented at the hearing shall be presented orally at the hearing.

20 IT IS FURTHER ORDERED that any **objections to any testimony or exhibits** which have  
21 been prefiled as of May 17, 2013, shall be made on or before **May 24, 2013**.

22 IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to  
23 pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is  
24 scheduled to testify.

25 IT IS FURTHER ORDERED that any motions filed in this matter that are not ruled upon by  
26 the Commission within 10 days of the filing date of the motion shall be deemed denied.

27 IT IS FURTHER ORDERED that any responses to motions shall be filed within five days of  
28 the filing date of the motion.

1 IT IS FURTHER ORDERED that any replies shall be filed within five days of the filing date  
2 of the response.

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

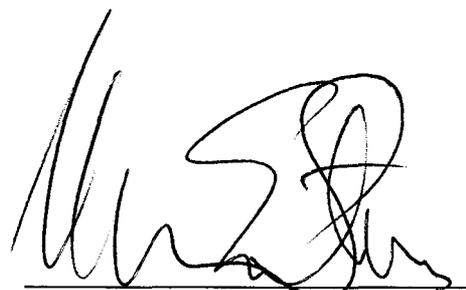
6 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
7 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

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

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

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

20 DATED this 20<sup>TH</sup> day of March, 2013.

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26 MARC E. STERN  
27 ADMINISTRATIVE LAW JUDGE  
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1 Copies of the foregoing mailed  
this 20th day of March, 2013 to:

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12 By:   
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