

ORIGINAL

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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Arizona Corporation Commission
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COMMISSIONER
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6 SUSAN BITTER SMITH
COMMISSIONER
7

8 IN THE MATTER OF THE APPLICATION OF
9 ARIZONA WATER COMPANY, AN ARIZONA
10 CORPORATION, FOR A DETERMINATION
11 OF THE FAIR VALUE OF ITS UTILITY
12 PLANT AND PROPERTY, AND FOR
ADJUSTMENTS TO ITS RATES AND
CHARGES FOR UTILITY SERVICE
FURNISHED BY ITS EASTERN GROUP
AND FOR CERTAIN RELATED
APPROVALS.

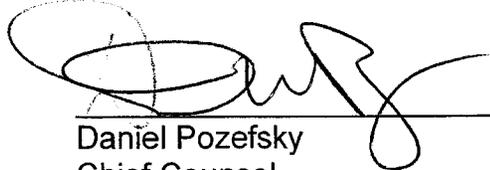
Docket No. W-01445A-11-0310

13
14 **RUCO'S MOTION FOR CLARIFICATION OR IN THE ALTERNATIVE REQUEST**
15 **TO TAKE JUDICIAL NOTICE OF THE UNDERLYING RECORD**
16 **(EXPEDITED RULING REQUESTED)**

17 The RESIDENTIAL UTILITY CONSUMER OFFICE ("RUCO") hereby moves for
18 clarification on whether the Commission intends to keep the record in the underlying matter
19 open for further consideration in the upcoming hearing on the proposed settlement agreement.
20 The Docket was held open under Decision No.73736 for further consideration of a DSIC which
21 would suggest that the record would be held open also, however, it is not clear. In terms of
22 judicial/administrative economy, it would make sense to include the underlying record in this
23 matter as many of the issues concerning the DSIC have already been litigated and it would be
24 redundant and inefficient to create another record on the same issue.

1 In the alternative, the Commission could simply take judicial notice of the underlying
2 record and the party's could reference any documents or evidence from that record
3 accordingly.

4 RESPECTFULLY SUBMITTED this 2nd day of April, 2013.

5
6 
7 Daniel Pozefsky
8 Chief Counsel

9 AN ORIGINAL AND THIRTEEN COPIES
10 of the foregoing filed this 2nd day
11 of April, 2013 with:

12 Docket Control
13 Arizona Corporation Commission
14 1200 West Washington
15 Phoenix, Arizona 85007

16 COPIES of the foregoing hand delivered/
17 mailed this 2nd day of April, 2013 to:

18 The Honorable Lyn Farmer
19 Administrative Law Judge
20 Hearing Division
21 Arizona Corporation Commission
22 1200 West Washington
23 Phoenix, Arizona 85007

24 Janice Alward, Chief Counsel
Wes Van Cleve
Legal Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Steven M. Olea, Director
Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Robert Geake
Arizona Water Company
P.O. Box 29006
Phoenix, Arizona 85038-9006

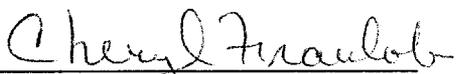
Steven A. Hirsch
Stanley B. Lutz
Bryan Cave LLP
Two North Central Avenue, Suite 2200
Phoenix, AZ 85004

Kathie Wyatt
1940 N. Monterey Drive
Apache Junction, AZ 85120

Garry Hays
1702 E. Highland Ave, Suite 204
Phoenix, Arizona 85016

- 1 Jay Shapiro
Fennemore Craig
2 2394 E. Camelback Rd, Suite 600
Phoenix, Arizona 85016
3
4 Greg Patterson
916 W. Adams, Suite 3
Phoenix, Arizona 85007
5
6 Ron Fleming
21410 N. 19th Avenue, Suite 201
Phoenix, Arizona 85027
7
8 Michael Patten
Roshka DeWulf & Patten, PLC
One Arizona Center
9 400 E. Van Buren St., Suite 800
Phoenix, Arizona 85004
10
11 Gary Yaquinto
Arizona Utility Investors Association
2100 N. Central Ave., Suite 210
12 Phoenix, Arizona 85004
13 Michael Grant
2575 E. Camelback Road
14 Phoenix, Arizona 85016-9225
15 Thomas Broderick
2355 W. Pinnacle Peak Road, Suite 300
16 Phoenix, Arizona 85027
17 Christopher Krygier
12725 W. Indian School Road
18 Suite D101
Avondale, Arizona 85392

19
20
21
22
23
24

By 
Cheryl Fraulob