



0000144829

ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission

DOCKET

MAY 13 2013

Stamp with signature

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL

2013 MAY 13 PM 2 05

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
(GRANTING EXTENSION)

BY THE COMMISSION:

On April 6, 2012, Johnson Utilities, L.L.C. (“Johnson” or “Company”) 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 February 6, 2013, the Commission’s Utilities Division (“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 procedural deadlines were established.

On April 18, 2013, a full evidentiary hearing was held as scheduled before a duly authorized Administrative Law Judge of the Commission. Johnson and Staff appeared through counsel and no members of the public appeared to present public comments. At the conclusion of the hearing, Staff was instructed to file a closing brief and the Company was instructed that it may file a response.

1 On May 8, 2013, Staff filed a request for an extension of time, from May 13, 2013 to May 22,
2 2013, to file its closing brief. Staff's request states that the Company does not oppose Staff's request
3 for an extension of time to file Staff's closing brief. Further, Staff requests that the time for the
4 Company to file a responsive brief be extended accordingly.

5 IT IS THEREFORE ORDERED that **Staff's request for an extension of time, from May**
6 **13, 2013 to May 22, 2013,** to file its closing brief is hereby granted.

7 IT IS FURTHER ORDERED that **Johnson may file its responsive brief on or before June**
8 **10, 2013.**

9 IT IS FURTHER ORDERED that the timeclock in this matter is hereby suspended.

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

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

19 ...
20 ...
21 ...
22 ...
23 ...
24 ...
25 ...
26 ...
27 ...
28 ...

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 13th day of May, 2013.

5
6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE
9

10
11
12 Copies of the foregoing mailed
this 13th day of March, 2013, to:

13 Jeffrey W. Crockett
14 BROWNSTEIN HYATT
15 FARBER SCHRECK, LLP
16 One E. Washington St., Suite 2400
Phoenix, AZ 85004
Attorneys for Johnson Utilities L.L.C.

17 Janice Alward, Chief Counsel
18 Legal Division
ARIZONA CORPORATION COMMISSION
19 1200 West Washington Street
Phoenix, AZ 85007

20 Steven M. Olea, Director
21 Utilities Division
ARIZONA CORPORATION COMMISSION
22 1200 West Washington Street
Phoenix, AZ 85007

23
24 By: 
25 Tammy Velarde
Assistant to Yvette B. Kinsey
26
27
28