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BEFORE THE ARIZONA CORPORATION COMMISSION Arizona Corporation Commission

COMMISSIONERS

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

RECEIVED
AZ CORP COMMISSION
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JUN 11 2013

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DOCKETED BY

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 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, 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.

1 On February 12, 2013, by Procedural Order, the matter was scheduled for hearing and
2 procedural deadlines were established.

3 On March 8, 2013, Johnson filed a Notice of Appearance of Counsel and Request to Modify
4 Procedural Schedule.

5 On March 12, 2013, a Procedural Order was issued modifying the procedural deadline for
6 filing the Staff Report and Johnson's time to file objections to the Staff Report.

7 On March 20, 2013, Johnson filed a Notice of Filing Affidavit of Publication and Affidavit of
8 Mailing Notice.

9 On April 2, 2013, Staff filed a Staff Report in this matter, recommending an Order
10 Preliminary with conditions.

11 On April 12, 2013, Johnson filed comments on the Staff Report.

12 On April 18, 2013, a full evidentiary hearing was held as scheduled before a duly authorized
13 Administrative Law Judge of the Commission. Johnson and Staff appeared through counsel and no
14 members of the public appeared to present public comments. At the conclusion of the hearing, Staff
15 was instructed to file a Closing Brief; the Company was instructed that it may file a response; and the
16 Company was directed to file a late-filed exhibit related to Arizona Department of Environmental
17 Quality ("ADEQ") violations.

18 On April 19, 2013, Johnson docketed a Notice of Filing Late-Filed Exhibits.

19 On May 8, 2013, Staff filed a request for an extension of time, from May 13, 2013 to May 22,
20 2013, to file its closing brief. Staff's request states that the Company does not oppose Staff's request
21 for an extension of time to file Staff's Closing Brief. Further, Staff requested that the time for the
22 Company to file a responsive brief be extended accordingly.

23 On May 13, 2013, a Procedural Order was issued granting Staff's request for additional time
24 to file its closing brief and for Johnson to file a responsive brief. The timeclock in this matter was
25 also suspended.

26 On May 21, 2013, Johnson filed a Notice of Late Filing Updated Preliminary Engineering
27 Analysis.

28 On May 22, 2013, Staff filed a Closing Brief.

1 On June 10, 2013, Johnson filed a Request to Extend Deadline for Filing Response to Staff's
2 Closing Brief ("Request"). Johnson's Request states that Johnson and Staff have a scheduled
3 meeting on June 14, 2013, which may lead to a narrowing of the issues in the case. Therefore,
4 Johnson requests an extension of time from June 10, 2013 to June 17, 2013 to file a responsive brief
5 in this matter. Johnson's Request states that Staff does not oppose Johnson's requested extension of
6 the time deadline.

7 Johnson's Request is reasonable and Staff does not oppose the extension of the time deadline.

8 IT IS THEREFORE ORDERED that Johnson's request for an extension of time, from
9 June 10, 2013 to June 17, 2013, to file its response to Staff's Closing Brief is hereby granted.

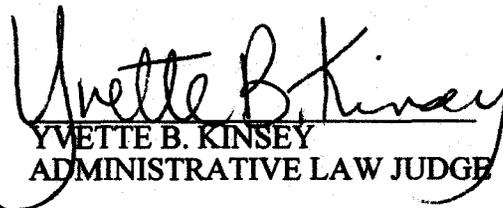
10 IT IS FURTHER ORDERED that Staff may file a reply to Johnson's response on or
11 before July 1, 2013.

12 IT IS FURTHER ORDERED that the timeclock in this matter remains suspended.

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

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

19 DATED this 11th day of June, 2013.

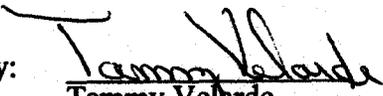
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21 
22 YVETTE B. KINSEY
23 ADMINISTRATIVE LAW JUDGE
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1 Copies of the foregoing mailed
this 11th day of June, 2013, to:

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