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

DOCKET NO. W-02060A-12-0356

PROCEDURAL ORDER
(Continues Hearing)

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 On March 21, 2013, by Procedural Order, the proceeding was continued to June 13, 2013, and
11 additional filing dates established.

12 On May 3, 2013, the Company filed its Rebuttal Testimony.

13 On May 17, 2013, Staff filed its Surrebuttal Testimony.

14 On June 13, 2013, the proceeding was reconvened before the designated Administrative Law
15 Judge. The Company and Staff appeared with counsel. Prior to the evidentiary portion of the
16 proceeding, the Company and Staff conducted discussions to resolve certain issues that had arisen
17 based on filings which had been made in the proceeding. Following these discussions, the parties
18 indicated that they had reached a resolution on the issues which had arisen in the proceeding, and it
19 was indicated that after a brief continuance a Joint Stipulation which addresses the relevant issues
20 would be filed by July 8, 2013. Further, the parties agreed that the proceeding be reconvened on July
21 15, 2013, and that testimony in support of the Joint Stipulation would be given.

22 Accordingly, the proceeding should be continued.

23 IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be
24 continued from **June 13, 2013, to July 15, 2013, at 10:00 a.m.**, or as soon thereafter as is practical,
25 at the Commission's offices, 1200 West Washington Street, Hearing Room No. 2, Phoenix, Arizona.

26 IT IS FURTHER ORDERED that the **Joint Stipulation and associated exhibits** to be
27 presented at the hearing shall be reduced to writing and filed on or before **July 8, 2013**.

28 IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to

1 pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is
2 scheduled to testify.

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

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

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

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

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

14 IT IS FURTHER ORDERED that the timeframe shall be suspended pursuant to A.A.C. R14-
15 2-103 pending the conclusion of the proceeding.

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

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

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

4 DATED this 14TH day of June, 2013.

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9 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed
11 this 14th day of June, 2013 to:

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