

ORIGINAL



0000146891

BEFORE THE ARIZONA CORPORATIVE COMMISSION

RECEIVED

Arizona Corporation Commission

DOCKETED

2013 JUL 16 A 8:44

JUL 16 2013

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY
ne

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF H2O, INC. FOR APPROVAL OF THE SALE OF ITS ASSETS AND CONDITIONAL CANCELLATION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-02234A-13-0237

PROCEDURAL ORDER GRANTING INTERVENTION

BY THE COMMISSION:

On July 3, 2013, H2O, Inc. ("Company") filed with the Arizona Corporation Commission ("Commission") an application requesting that the Commission approve the sale of its assets and conditional cancellation of its Certificate of Convenience and Necessity ("CC&N").

On July 11, 2013, the Town of Queen Creek ("Town") filed a Motion to Intervene, stating that the Town has an interest in this proceeding as it has agreed to purchase the water utility assets of H2O, Inc.

There have been no objections to the Town's request for intervention. Accordingly, the Town of Queen Creek's Motion to Intervene should be granted.

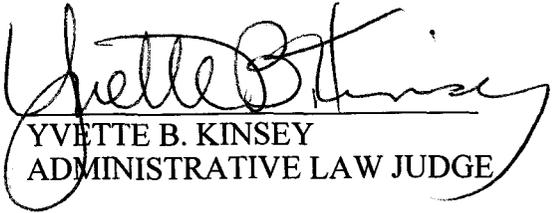
IT IS THEREFORE ORDERED that the Town of Queen Creek's Motion to Intervene in this matter is hereby granted.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) applies to this proceeding.

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

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 16th day of July, 2013.

6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this ___ day of July, 2013 to:

- 11 Steve A. Hirsch
- 12 Stanley B. Lutz
- 13 BRYAN CAVE LLP
- 14 Two N. Central Ave., Suite 2200
- 15 Phoenix, AZ 85004-4406
- 16 Attorneys for H2O, Inc.

- 17 Fredda J. Bisman
- 18 James T. Braselton
- 19 DICKINSON WRIGHT
- 20 2901 N. Central Ave., Suite 200
- 21 Phoenix, AZ 85012
- 22 Attorneys for Town of Queen Creek

- 23 Janice Alward, Chief Counsel
- 24 Legal Division
- 25 ARIZONA CORPORATION COMMISSION
- 26 1200 West Washington Street
- 27 Phoenix, AZ 85007

- 28 Steven M. Olea, Director
- Utilities Division
- ARIZONA CORPORATION COMMISSION
- 1200 West Washington Street
- Phoenix, AZ 85007

By: _____
Rebecca Unquera
Assistant to Yvette B. Kinsey