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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

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AZ CORP COMMISSIO  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

OCT 09 2013

DOCKETED BY

J. ALAN SMITH,  
COMPLAINANT,

VS.

PAYSON WATER CO., INC. /BROOKE  
UTILITIES, INC.

RESPONDENT.

DOCKET NO. W-03514A-12-0007

PROCEDURAL ORDER

**BY THE COMMISSION:**

On January 10, 2012, J. Alan Smith ("Complainant") filed with the Arizona Corporation Commission ("Commission") a Formal Complaint against Payson Water Co., Inc. ("Payson Water" or "Company") and Brooke Utilities, Inc.

On October 1, 2013, a Procedural Order was issued rescheduling a procedural conference in this matter for October 24, 2013.

On October 1, 2013, the Commission's Utilities Division ("Staff") filed a Request to Reschedule Procedural Conference> Staff requested that the procedural conference be rescheduled for October 29 or 30, 2013, and represented that counsel for both the Complainant and the Company were in agreement with the request.

IT IS THEREFORE ORDERED that **the procedural conference scheduled for October 24, 2013, is hereby vacated and shall be rescheduled for October 30, 2013, at 10:00 a.m.,** at the offices of the Commission, **Hearing Room No. 1**, 1200 West Washington, Phoenix, Arizona 85007, to discuss pending motions and procedural matters.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) applies to this proceeding and shall remain in effect until the Commission's

1 Decision in this matter is final and non-appealable.

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

5 DATED this 9<sup>th</sup> day of October, 2013.

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8 DWIGHT D. NODES  
9 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered  
11 This 9<sup>th</sup> day of October, 2013 to:

12 Jim Pearson  
13 Pearson Transport/Pearson Water  
14 P.O. Box 193  
15 1120 Rodeo Rd.  
16 Williams, AZ 86046  
17 **(SERVICE BY CERTIFIED AND  
18 REGULAR U.S. MAIL)**

Steve Olea, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

16 J. Alan Smith  
17 8166 Barranca Road  
18 Payson, AZ 85541

ARIZONA REPORTING SERVICE, INC.  
2200 N. Central Ave., Suite 502  
Phoenix, AZ 85004-1481

18 Michael J. Harper  
19 WALKER & HARPER, P.C.  
20 111 W. Cedar Ln., Suite C  
21 Payson, AZ 85541

By:   
Debbi Person  
Assistant to Dwight D. Nodes

21 Jay L. Shapiro  
22 FENNEMORE CRAIG, P.C.  
23 2394 East Camelback Rd., Suite 600  
24 Phoenix, AZ 85016  
25 Attorneys for Payson Water Company

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