



BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF  
HARRISBURG UTILITY COMPANY, INC., FOR  
APPROVAL OF AN EXTENSION OF ITS  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE WATER UTILITY  
SERVICES IN ARIZONA.

DOCKET NO. W-02169A-13-0254

PROCEDURAL ORDER

BY THE COMMISSION:

On July 23, 2013, Harrisburg Utility Company, Inc. ("Harrisburg" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for approval of an extension of its Certificate of Convenience and Necessity ("CC&N") to provide water utility service in Yuma County, Arizona, to an area known as the Castle Lakes Subdivision.

On October 1, 2013, the Commission's Utilities Division ("Staff") docketed a Sufficiency Letter indicating that Harrisburg's application had met the sufficiency requirements as outlined in the Arizona Administrative Code ("A.A.C.").

Pursuant to A.A.C. R14-3-109, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall commence on **December 20, 2013, at 10:00 a.m.**, or as soon thereafter as is practicable, in Hearing Room No. 1, at the Commission's offices, 1200 West Washington, Phoenix, Arizona 85007.

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Arizona Corporation Commission

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1 IT IS FURTHER ORDERED that Harrisburg shall provide public notice of the hearing in  
 2 this matter, in the following form and style, with the heading in no less than 10-point bold type and in  
 3 the body in no less than 10-point regular type:

4 **PUBLIC NOTICE OF THE APPLICATION OF HARRISBURG UTILITY COMPANY, INC.**  
 5 **FOR APPROVAL TO EXTEND ITS CERTIFICATE OF CONVENIENCE AND**  
 6 **NECESSITY TO PROVIDE WATER UTILITY SERVICE IN ARIZONA.**  
 7 **DOCKET NO. W-02169A-13-0254**

8 On July 23, 2013, Harrisburg Utility Company, Inc., ("Harrisburg" or Company")  
 9 filed with the Arizona Corporation Commission ("Commission") an application for  
 10 approval to extend its Certificate of Convenience and Necessity ("CC&N") to provide  
 11 water utility service in Yuma County, Arizona to an area known as the Castle Lakes  
 12 Subdivision. If Harrisburg's application is approved by the Commission, Harrisburg  
 13 will be the sole provider of water utility service in the extension area. The  
 14 Commission's Utilities Division Staff ("Staff") has not yet made a recommendation  
 15 regarding Harrisburg's application. The Commission is not bound by the proposals  
 16 made by Harrisburg, Staff, or any intervenor. The Commission will issue a Decision  
 17 regarding Harrisburg's application following consideration of testimony and evidence  
 18 presented at an evidentiary hearing. Copies of the application, Staff Report, and any  
 19 written objections to the Staff Report filed by the Company will be available for public  
 20 inspection during regular business hours at Harrisburg's offices [**Applicant Insert**  
 21 **Address**]; the Commission's Docket Control Center at 1200 West Washington Street,  
 22 Phoenix, Arizona; and on the internet via the Commission's website (www.azcc.gov)  
 23 using the e-Docket function.

24 The Commission will hold a hearing on Harrisburg's application on **December 20,**  
 25 **2013, at 10:00 a.m.** at the Commission's offices, Hearing Room No. 1, 1200 West  
 26 Washington Street, Phoenix, Arizona. Public comments will be taken on the first day  
 27 of the hearing. Written public comments may be submitted by mailing a letter  
 28 referencing Docket No. W-02169A-13-0254 to: Arizona Corporation Commission,  
 Consumer Services Section, 1200 West Washington Street, Phoenix, Arizona 85007.  
 If you require assistance, you may contact the Consumer Services Section at 1-800-  
 222-7000 or 602-542-4251.

The law provides for an open public hearing at which, under appropriate  
 circumstances, interested parties may intervene. Any person or entity entitled by law  
 to intervene and having a direct and substantial interest in the matter will be permitted  
 to intervene. If you wish to intervene, you must file a written motion to intervene with  
 the Commission and you must send copies of the motion to Harrisburg or its counsel  
 and to all parties of record in the case. Your motion to intervene must contain the  
 following:

1. The name, address, and telephone number and the name, address,  
and telephone number of any party upon whom service of  
documents is to be made, if not yourself;
2. A short statement of your interest in the proceeding (e.g., a  
customer of the Company etc.); and
3. A statement certifying that you have mailed a copy of the motion to  
intervene to Harrisburg or its counsel and to all parties of record in  
the case.

1 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
2 that all motions to intervene must be filed on or before November 18, 2013. If  
3 representation by counsel is required by Arizona Supreme Court Rules 31 and 38  
4 intervention will be conditioned upon the intervenor's obtaining counsel to represent  
5 the intervenor. For information about requesting intervention, visit the Commission's  
6 website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of  
7 intervention, among other things, entitles a party to present sworn evidence at hearing  
8 and to cross-examine witnesses. However, failure to intervene will not preclude any  
9 interested person or entity from appearing at the hearing and providing public  
10 comment on the application or from filing written comments in the record of the case.

6 The Commission does not discriminate on the basis of disability in admission to its  
7 public meetings. Persons with a disability may request a reasonable accommodation  
8 such as a sign language interpreter, as well as request this document in an alternative  
9 format, by contacting the ADA Coordinator Shaylin Bernal, at [SBernal@azcc.gov](mailto:SBernal@azcc.gov),  
voice phone number 602-542-3931. Requests should be made as early as possible to  
allow time to arrange the accommodation.

10 IT IS FURTHER ORDERED that **Harrisburg shall mail a copy of the above notice to each**  
11 **property owner in the proposed extension area** and shall cause the above notice to be published at  
12 least once in a newspaper of general circulation in the proposed extension area, with **publication and**  
13 **mailing** to be completed no later than **November 4, 2013**.

14 IT IS FURTHER ORDERED that **Harrisburg shall file certification of mailing and**  
15 **publication** as soon as practicable after mailing/publication has been completed, but no later than  
16 **December 9, 2013**.

17 IT IS FURTHER ORDERED that **notice shall be deemed complete upon mailing/**  
18 **publication**, notwithstanding the failure of an individual to read or receive the notice.

19 IT IS FURTHER ORDERED that the **Staff Report and any associated exhibits** to be  
20 presented at hearing shall be reduced to writing and filed on or before **November 18, 2013**.

21 IT IS FURTHER ORDERED that any **objections to the Staff Report** shall be reduced to  
22 writing and filed on or before **December 13, 2013**.

23 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-  
24 105, except that all motions to intervene must be filed on or before **November 18, 2013**.

25 IT IS FURTHER ORDERED that any **objections to Motions to Intervene** shall be filed on  
26 or before **December 9, 2013**.

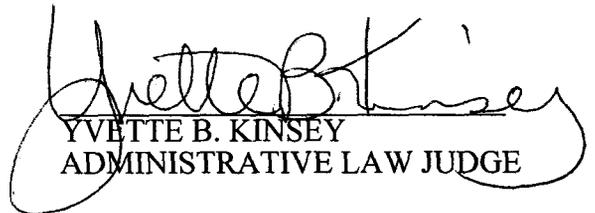
1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
2 Communications) applies to this proceeding as the matter is now set for public hearing, and shall  
3 remain in effect until the Commission's Decision in this matter is final and non-appealable.

4 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
5 31 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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

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

15 DATED this 9th day of October, 2013.

  
YVETTE B. KINSEY  
ADMINISTRATIVE LAW JUDGE

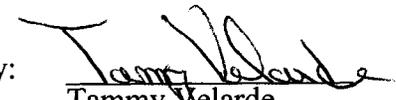
18 Copies of the foregoing mailed  
19 this 9th day of October, 2013 to:

20 William S. Scott  
21 HARRISBURG UTILITY COMPANY, INC.  
22 P.O. Box 905  
23 Salome, AZ 85348

ARIZONA REPORTING SERVICE, INC.  
2200 North Central Avenue, Suite 502  
Phoenix, AZ 85004-1481

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

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

By:   
Tammy Velarde  
Assistant to Yvette B. Kinsey