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COMMISSIONERS

- Bob Stump – Chairman**
- Gary Pierce**
- Brenda Burns**
- Bob Burns**
- Susan Bitter Smith**

RECEIVED
AZ CORP COMMISSION
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2014 JAN 29 PM 3 54

ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION
OF TUSAYAN WATER DEVELOPMENT
ASSOCIATION, INC. FOR
ESTABLISHMENT OF RATES FOR
WATER SERVICE.

DOCKET NO. W-02350A-10-0163

IN THE MATTER OF THE APPLICATION
OF ANASAZI WATER CO., LLC FOR
ADJUDICATION “NOT A PUBLIC
SERVICE CORPORATION.”

DOCKET NO. W-20765A-10-0432

IN THE MATTER OF THE APPLICATION
OF HYDRO-RESOURCES, INC. FOR
ADJUDICATION “NOT A PUBLIC
SERVICE CORPORATION.”

DOCKET NO. W-20770A-10-0473

IN THE MATTER OF THE APPLICATION
OF TUSAYAN WATER DEVELOPMENT
ASSOCIATION, INC. FOR
CANCELLATION OF CERTIFICATE OF
CONVENIENCE AND NECESSITY

DOCKET NO. W-02350A-13-0312

IN THE MATTER OF THE APPLICATION
OF HYDRO-RESOURCES, INC. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER
SERVICE.

DOCKET NO. W-20770A-13-0313

Arizona Corporation Commission
DOCKETED

JAN 29 2014

DOCKETED BY

BRYAN CAVE LLP
TWO NORTH CENTRAL AVENUE, SUITE 2200
PHOENIX, ARIZONA 85004-4406
(602) 364-7000

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**JOINT PROPOSED SCHEDULING ORDER,
FORM OF NOTICE AND
IDENTIFICATION OF PERSONS TO RECEIVE NOTICE
SUBMITTED BY TUSAYAN, HYDRO, ANASAZI, COMMISSION STAFF,
TOWN, SQUIRE AND T VENTURES (ALL PARTIES)**

12 Pursuant to the Procedural Order dated December 20, 2013 in these consolidated
13 matters, Applicant Tusayan Water Development Association, Inc. ("Tusayan"), Applicant
14 Hydro-Resources, Inc. ("Hydro"), Applicant Anasazi Water Company, LLC ("Anasazi"),
15 Arizona Corporation Commission, Utilities Division Staff ("Staff") and Intervenors Town
16 of Tusayan ("Town"), Squire Motor Inns, Incorporated ("Squire") and Tusayan Ventures,
17 LLC ("T Ventures") submit the following joint proposed schedule. Also pursuant to the
18 Procedural Order, these parties submit a proposed form of notice and a list identifying by
19 descriptive group those persons to whom notice should be provided.

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I. PROPOSED PROCEDURAL SCHEDULE

23 The parties have worked diligently to resolve this matter, leading to a settlement
24 agreement between all of the parties except for Intervenor Tusayan Ventures, LLC. The
25 agreement was docketed on August 12, 2013. Pursuant to the agreement, Hydro filed an
26 application for a Certificate of Convenience and Necessity ("CC&N") on September 12,
27 2013, and Tusayan filed an application for cancellation of its existing CC&N on the same
28 date.

These parties believe that this matter can best be heard by the Commission by
providing for a round of pre-filed direct and responsive briefing, followed by a one day
evidentiary hearing, and post-hearing briefing, to the extent such briefing is necessary.

These parties propose the following procedural schedule:

Staff's Report on the Settlement Agreement/Applications	March 14, 2014
Pre-filed Direct Testimony by Applicants and Intervenors	April 14, 2014
Pre-filed Responsive Testimony by Parties	May 14, 2014
One Day Evidentiary Hearing	May/June, 2014

1 Post-Hearing Briefing (if necessary)

Approximately four
2 weeks following
3 close of hearing

4 **II. PROPOSED FORM OF NOTICE**

5 Attached is a form of notice proposed by the parties.

6 **III. LIST IDENTIFYING PERSONS TO RECEIVE NOTICE**

7 These parties propose that the following persons should receive notice of the
8 proceedings in the following manner:

9 1. Notice by mail to all current customers of Tusayan, consisting of
10 approximately 94 persons or entities.

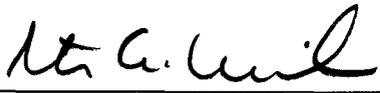
11 2. Notice by mail to all current landowners of the approximately 46 tax parcels
12 located within the proposed CC&N area.

13 3. Notice to citizens of the Town of Tusayan by posting at the Town Hall and
14 on the Town's website.

15 4. Notice to others in the community by a single publication in the Williams
Grand Canyon News.

16 DATED this 29th day of January, 2014.

17 BRYAN CAVE LLP

18 By 

19 Steven A. Hirsch, #006360
20 Rodney W. Ott, #016686
21 Two N. Central Avenue, Suite 2200
22 Phoenix, AZ 85004-4406
23 Attorneys for Hydro-Resources, Inc.

24 and

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SHORALL McGOLDRICK BRINKMANN

By /s/ SAM (w/permission)

Paul L. Brinkmann
702 N. Beaver
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Attorneys for Anasazi Water Co., LLC

and

CLARK HILL, PLC

By /s/ SM (w/permission)

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Attorneys for Tusayan Water Development
Association, Inc.

and

SIMS MURRAY, LTD.

By /s/ SAM (w/permission)

William J. Sims, III
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Attorney for Town of Tusayan

and

ROSHKA DeWULF & PATTEN, PLC

By /s/ SAM (w/permission)

Michael W. Patten
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Attorneys for Squire Motor
Inns, Incorporated

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and

ARIZONA CORPORATION COMMISSION

By /s/ SM (w/permission)
Robin R. Mitchell, Staff Attorney
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007-2927

and

LAW OFFICES OF GARRY D. HAYS, P.C.

By /s/ SM (w/permission)
Garry D. Hays
The Law Offices of Garry D. Hays, P.C.
1702 E. Highland Avenue, Suite 204
Phoenix, AZ 85016
Attorney for Tusayan Ventures LLC

ORIGINAL and 13 COPIES of the foregoing filed this 29th day of January, 2014, with:

Docket Control Division
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

COPY of the foregoing hand-delivered this 29th day of January, 2014, to:

Hearing Division
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

...

1 Steven M. Olea
2 Director, Utilities Division
3 Arizona Corporation Commission
4 1200 W. Washington
5 Phoenix, AZ 85007

6 Janice Alward, Esq.
7 Chief Counsel, Legal Division
8 Arizona Corporation Commission
9 1200 W. Washington
10 Phoenix, AZ 85007

11 **COPY** of the foregoing e-mailed and mailed
12 this 29th day of January, 2014, to:

13 Garry D. Hays
14 The Law Offices of Garry D. Hays, P.C.
15 1702 E. Highland Avenue, Suite 204
16 Phoenix, AZ 85016
17 Attorney for Tusayan Ventures LLC

18 Ryan Lorenz
19 CLARK HILL, PLC
20 14850 N. Scottsdale Road, Suite 500
21 Scottsdale, AZ 85254
22 Attorneys for Tusayan Water Development
23 Association, Inc.

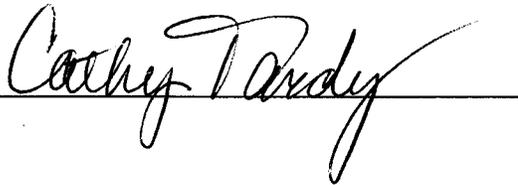
24 Paul L. Brinkmann
25 Shorall McGoldrick Brinkmann
26 702 N. Beaver Street
27 Flagstaff, AZ 86001
28 Attorneys for Anasazi Water Co., LLC

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1 Tami Ryall
2 Town Manager
3 Town of Tusayan
4 P. O. Box 709
5 Tusayan, AZ 86023
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7 Michael W. Patten
8 Timothy J. Sabo
9 Roshka DeWulf & Patten, PLC
10 One Arizona Center
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**PUBLIC NOTICE OF
APPLICATION OF HYDRO-RESOURCES, INC.
FOR A CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR WATER SERVICE (W-20770A-13-0313),
APPLICATION OF TUSAYAN WATER DEVELOPMENT
ASSOCIATION FOR A CANCELLATION OF CERTIFICATE OF
CONVENIENCE AND NECESSITY (W-02350A-13-0312), AND OTHER
CONSOLIDATED MATTERS (W-02350A-10-0163, W-02765A-10-0432,
W-20770A-10-0473)**

On September 12, 2013, Hydro-Resources, Inc. ("Hydro") filed an Application with the Arizona Corporation Commission ("Commission") for authority to provide water service to an area which records indicate that you are a property owner. On the same date, Tusayan Water Development Association ("TWDA") filed an Application with the Commission for cancellation of its Certificate of Convenience and Necessity within the same boundaries. These Applications have been consolidated within a single proceeding. If the Applications are granted, Hydro would be the exclusive provider of water to the proposed area. Hydro would be required by the Commission to provide service under rates and charges and terms and conditions approved by the Commission. The granting of the application would not necessarily prohibit an individual from providing service to themselves from individually owned facilities on their property. The Applications are available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, at the offices of Hydro-Resources, Inc., 549 Camper Village, Grand Canyon AZ 86023, and at the offices of TWDA, Canyon Plaza, Highway 64, Grand Canyon, AZ 86023. Three related proceedings have been consolidated for purposes of this hearing: an application for establishment of rates for water service by TWDA (W-02350A-10-0163) and applications for adjudication by Anasazi and Hydro (W-02765A-10-0432 and W-20770A-10-0473).

The Commission will hold a consolidated hearing on this matter. As a property owner you may have the right to intervene in this proceeding. If you do not want to intervene, you may appear at the hearing and make a statement on your own behalf. Written public comments may be submitted by mailing a letter referencing the docket numbers to the address below. You may also contact the Commission at the address and telephone number listed below for the date and time of the hearing and for more information on intervention. You may not receive any further notice of the proceeding unless requested by you.

If you have any questions or concerns about these applications, have any objections to their approval, or wish to make a statement in support of the applications, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.