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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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EPCOR COMMISSION DOCKET CONTROL

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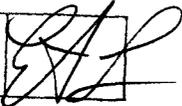
IN THE MATTER OF THE APPLICATION OF EPCOR WATER ARIZONA, INC., AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES FOR UTILITY SERVICE BY ITS MOHAVE WATER DISTRICT, PARADISE VALLEY WATER DISTRICT, SUN CITY WATER DISTRICT, TUBAC WATER DISTRICT, AND MOHAVE WASTEWATER DISTRICT.

DOCKET NO. WS-01303A-14-0010

Arizona Corporation Commission

DOCKETED

JUL 23 2014

DOCKETED BY 

PROCEDURAL ORDER

BY THE COMMISSION:

On March 10, 2014, EPCOR Water Arizona, Inc. ("EPCOR" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a determination of the fair value of its utility plant and property and for increases in its water and wastewater rates and charges for utility service by its Mohave Water District, Paradise Valley Water District, Sun City Water District, Tubac Water District, and Mohave Wastewater District.

On April 4, 2014, the Commission's Utilities Division ("Staff") issued a Letter of Sufficiency pursuant to Arizona Administrative Code ("A.A.C.") R14-2-103, and classified the Company as a Class A utility.

On April 25, 2014, Mr. Marshall Magruder filed a "Motion to Stay and Remand the Rate Case Filed by EPCOR, Inc., Due to Non-Compliance with a Corporation Commission Decision and the Arizona State Constitution." Responsive pleadings were subsequently filed by EPCOR and Mr. Magruder.

On June 2, 2014, a Procedural Order was issued granting Mr. Magruder's intervention request, denying his Motion to Stay and Remand the Rate Case, and granting a stipulated extension

1 request between EPCOR and the Residential Utility Consumer Office (“RUCO”) for EPCOR to
2 respond to a Motion to Compel filed by RUCO.¹

3 On June 4, 2014, an intervention request was filed in this docket signed by Rich Bohman,
4 President of the Santa Cruz Valley Citizens Council (“SCVCC”).

5 On July 10, 2014, the Town of Paradise Valley filed an Application to Intervene.

6 On July 15, 2014, a Procedural Order was issued granting intervention to the Water Utility
7 Association of Arizona, Delman E. Eastes, the Paradise Valley Country Club, and jointly to the
8 Sanctuary Camelback Mountain Resort & Spa, JW Marriott Camelback Inn, and Omni Scottsdale
9 Resort & Spa at Montelucia. The Procedural Order also required SCVCC to docket specific
10 authorization, such as a board resolution, for Mr. Bohman or another lay person to represent it in this
11 matter, in accordance with the requirements of Arizona Supreme Court Rule 31(d)(28).

12 On July 21, 2014, SCVCC filed a Corporate Resolution authorizing Rich Bohman and Jim
13 Patterson to represent SCVCC in this matter.

14 IT IS THEREFORE ORDERED that **intervention is hereby granted to the Town of**
15 **Paradise Valley and SCVCC.**

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.

25 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
26 Communications) continues to apply to this proceeding and shall remain in effect until the

27 _____

28 ¹ RUCO was granted intervention by Procedural Order issued April 28, 2014. On July 18, 2014 RUCO filed a
Withdrawal of Motion to Compel.

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

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

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

7 DATED this 23rd day of July, 2014.

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9 

10 DWIGHT D. NODES
11 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

12 Copies of the foregoing mailed
13 this 23rd day of July, 2014, to:

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22 Phoenix, AZ 85007

23 Marshall Magruder
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25 Tubac, AZ 85646-1267

26 Rich Bohman, President
27 SANTA CRUZ VALLEY CITIZENS COUNCIL
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