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BEFORE THE ARIZONA CORPORATION

COMMISSIONERS

Arizona Corporation Commission

AZ CORP COM

DOCKET CONTROL

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

DOCKETED

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ORIGINAL

IN THE MATTER OF THE APPLICATION OF
GREEN ACRES WATER COMPANY FOR
APPROVAL OF AN EMERGENCY RATE
INCREASE.

DOCKET NO. W-02271A-14-0265

PROCEDURAL ORDER

BY THE COMMISSION:

On July 11, 2014, Green Acres Water Company ("Green Acres" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for an emergency rate increase for customers in the Company's service area in Yuma, Arizona.

On July 23, 2014, a Procedural Order was issued scheduling a procedural conference in this matter for July 29, 2014, at 10:00 a.m.

On July 29, 2014, the Company's Interim Manager, Nancy Miller, appeared telephonically, and the Commission's Utilities Division ("Staff") appeared in person for the scheduled procedural conference to discuss scheduling the hearing and the timing for filing a Staff Report and a response thereto. The parties agreed to a schedule that would have a Staff Report issued by August 29, 2014, a Company response by September 10, 2014, and a hearing on September 15, 2014.

IT IS THEREFORE ORDERED that a hearing on the emergency rate request shall commence on September 15, 2014, at 10:00 a.m., at the Commission's Phoenix Offices, Hearing Room No. 1, 1200 W. Washington St., Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that Staff shall file its Staff Report in this matter on or before August 29, 2014.

IT IS FURTHER ORDERED that the Company shall file any Response to the Staff Report on or before September 10, 2014.

...

1 IT IS FURTHER ORDERED that any Reply by Staff or additional testimony by the Company
2 will be taken verbally during the hearing.¹

3 IT IS FURTHER ORDERED that Green Acres shall provide public notice of the hearing
4 in this matter in the following form and style:

5 **PUBLIC NOTICE OF THE HEARING**
6 **ON THE APPLICATION OF**
7 **GREEN ACRES WATER COMPANY FOR**
8 **AN EMERGENCY RATE INCREASE,**
9 **DOCKET NO. W-02271A-14-0265**

10 On July 11, 2014, Green Acres Water Company ("Company") filed with the Arizona
11 Corporation Commission ("Commission") an application for an emergency rate
12 increase. The Company is requesting an emergency increase to make needed repairs
13 on its system that it claims it cannot afford absent interim emergency rate relief.
14 However, the Company did not indicate in its application a specific amount that it is
15 requesting for an emergency rate increase.

16 **The Commission's Utilities Division ("Staff") is in the process of evaluating the
17 Company's request, and will file its recommendation in this matter by August
18 29, 2014. The Commission is not bound by the proposals made by the Company,
19 Staff or possible intervenors, and the Commission may approve the amount of
20 the request, modify the amount higher or lower, or deny the request.**

21 **The Commission will conduct a hearing on this matter on September 15, 2014,
22 commencing at 10:00 a.m., at the Commission's Phoenix offices, Hearing Room
23 No. 1, 1200 West Washington, Phoenix 85007. Public comments will be taken at
24 the start of the hearing. Written public comments may be submitted by mailing a
25 letter referencing Docket No. W-02271A-14-0265 to: Arizona Corporation
26 Commission, Consumer Services Section, 1200 West Washington Street, Phoenix
27 Arizona 85007. If you require assistance you may contact the Consumer Services
28 Section at 1-800-222-7000 or 602-542-4251.**

The application and Staff's recommendations are available for inspection during
regular business hours at the offices of the Commission, 1200 West Washington
Street, Phoenix, Arizona, and at the office of the Company, [APPLICANT
INSERT ADDRESS]. The application is also available on the Commission's
website, www.azcc.gov, using the e-Docket link.

The law provides for an open public hearing at which, under appropriate
circumstances, interested persons may intervene in the proceedings and participate
as a party. Persons desiring to intervene must file a written motion to intervene
with the Commission and send such motion to Applicant or its counsel and to all
parties of record. The motion must, at the minimum, contain the following:

1. The name, address, and telephone number of the proposed intervenor and of
any party upon whom service of documents is to be made if different from
that of the intervenor.

¹ To assist with a more efficient hearing, the parties are encouraged to file any updated schedules they plan to discuss at
the hearing prior to the commencement of the hearing.

- 1 2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,
2 a customer or potential customer of the Applicant, a member or shareholder of
3 the Applicant, etc.).
- 4 3. A statement certifying that a copy of the motion to intervene has been mailed
5 to the Applicant or its counsel and to all parties of record in the case.

6 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
7 that **all motions to intervene must be filed on or before August 29, 2014.** If
8 representation by counsel is required by Arizona Supreme Court Rule 31,
9 intervention will be conditioned upon the intervenor obtaining counsel to represent
10 the intervenor. For information about requesting intervention, visit the Arizona
11 Corporation Commission's webpage at
12 <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of
13 intervention, among other things, entitles a party to present sworn evidence at
14 hearing and to cross-examine other witnesses. **However, failure to intervene will not**
15 **preclude any customer from appearing at a hearing and making a statement on such**
16 **customer's own behalf.**

17 The Commission does not discriminate on the basis of disability in admission to its
18 public meetings. Persons with a disability may request a reasonable
19 accommodation such as a sign language interpreter, as well as request this
20 document in an alternative format, by contacting Shaylin Bernal, ADA Coordinator,
21 voice phone number 602/542-3931, E-mail: SABernal@azcc.gov. Requests should
22 be made as early as possible to allow time to arrange the accommodation.

23 **IT IS FURTHER ORDERED that Green Acres Water Company shall mail by first-class**
24 **U.S. Mail, to each customer a copy of this notice to begin as soon as possible, and to be**
25 **completed on or before August 15, 2014.²**

26 **IT IS FURTHER ORDERED that Green Acres Water Company shall file a certification of**
27 **mailing of the above notice as soon as practical after mailing is complete.**

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

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-
105, except that all motions to intervene must be filed on or before August 29, 2014.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
Communications) applies to this proceeding as the matter is now set for public hearing.

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

² The public notice may be included as a bill insert.

1 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
2 31, 38, 42 and A.R.S. §40-243 with respect to practice of law and admission *pro hac vice*.

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

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

12 DATED this 30th day of July, 2014.

13 

14 _____
15 DWIGHT D. NODES
16 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

17 Copies of the foregoing mailed
18 this 30th day of July, 2014 to:

19 Nancy Miller, Interim Manager
20 GREEN ACRES WATER COMPANY
21 4743 E. 30th Place
22 Yuma, AZ 85365

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

21 Janice Alward, Chief Counsel
22 Legal Division
23 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

COASH & COASH, INC.
Court Reporting and Videoconferencing
1802 N. 7th Street
Phoenix, AZ 85006

24
25
26 By: 
27 Tammy Velarde
28 Assistant to Dwight D Nodes