



0000157258

BEFORE THE ARIZONA CORPORATION COMI
RECEIVED

COMMISSIONERS

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

2014 OCT 31 P 2: 56

Arizona Corporation Commission

DOCKETED

OCT 31 2014

CORP COMMISSION
DOCKET CONTROL

ORIGINAL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF TRUXTON CANYON WATER COMPANY, INC. FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-02168A-11-0363

IN THE MATTER OF THE APPLICATION OF TRUXTON CANYON WATER COMPANY, INC. FOR APPROVAL OF A REVISION OF THE COMPANY'S EXISTING TERMS AND CONDITIONS OF WATER SERVICE.

DOCKET NO. W-02168A-13-0309

IN THE MATTER OF THE APPLICATION OF TRUXTON CANYON WATER COMPANY, INC. FOR AUTHORITY TO INCUR LONG-TERM DEBT.

DOCKET NO. W-02168A-13-0332

PROCEDURAL ORDER

BY THE COMMISSION:

On October 21, 2014, the Arizona Corporation Commission's ("Commission") Hearing Division issued a Recommended Opinion and Order ("ROO") in the above-captioned matters. Upon issuance of the ROO, exceptions were due to be filed by October 30, 2014, and the ROO was tentatively scheduled to be considered at the Commission's November 5 and 6, 2014, Open Meeting.

On October 28, 2014, Truxton Canyon Water Company, Inc. ("Truxton" or "Company") filed a Motion to Extend Deadline to File Exceptions and Reschedule Hearing ("Motion"). Truxton's Motion seeks an extension of time, until November 17, 2014, to file exceptions to the ROO and states Truxton's desire that the ROO be placed on the Commission's December 11 and 12, 2014, Open Meeting. Truxton stated that its extension request is due to: the complexity of the issues raised in the matter; Truxton's manager is unavailable for the November 5 and 6, 2014, Open Meeting; and counsel for Truxton has a scheduling conflict for the November 5 and 6, 2014, Open Meeting; and Truxton needs additional time to file exceptions to the ROO.

On October 29, 2014, the Commission's Utilities Division ("Staff") filed a Response to

1 Truxton's Motion, objecting to an extension of time for the Company to file its exceptions to the
2 ROO. Staff stated that the above-captioned case has been pending for more than three years, the
3 issues were fully addressed in the February 2014 hearing, and the issues were thoroughly briefed by
4 the parties. Staff stated that to the extent the Company's representative is unable to attend the
5 November 5 and 6 Open Meeting, and the matter is moved to the Commission's November 13, 2014,
6 contingency Open Meeting date, the rates as recommended in the ROO could still take effect
7 December 1, 2014.

8 On October 30, 2014, Valle Vista Property Owners Association ("VVPOA") filed its response
9 to Truxton's Motion, stating that it strongly objects to an extension of the deadline for Truxton to file
10 exceptions to the ROO. VVPOA states that it is unfortunate that Truxton is unprepared to respond to
11 the ROO; this consolidated proceeding has taken nearly three years to complete, and VVPOA has
12 been waiting and preparing to respond to the ROO since the hearing concluded and closing briefs
13 were filed; that Truxton's Motion represents another failure by Truxton to meet a required deadline;
14 that Wes Stewart, Treasurer for VVPOA, will be unavailable beginning November 12, 2014; and that
15 the Commission should deny the Motion.

16 On October 31, 2014, the Commission removed the above-captioned matters from the
17 November 5 and 6, 2014, Open Meeting. Because the matters will be heard at a future Open Meeting,
18 Truxton will be granted an extension of time, until November 7, 2014, to file exceptions to the ROO.

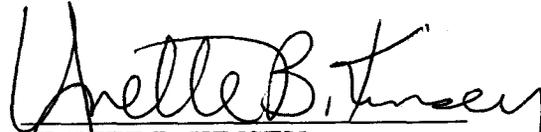
19 IT IS THEREFORE ORDERED that Truxton is granted an extension of time, until November
20 7, 2014, to file exceptions to the Recommended Opinion and Order.

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

24 ...
25 ...
26 ...
27 ...
28 ...

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

4 DATED this 31st day of October, 2014.

5
6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE
9

10
11 Copies of the foregoing mailed/mailed
this 31st day of October, 2014 to:

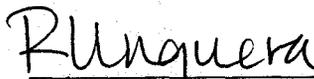
12 Steve Wene
13 MOYES SELLERS & HENDRICKS LTD.
14 1850 North Central Avenue, Suite 1100
Phoenix, AZ 85004
Attorneys for Truxton Canyon Water Co., Inc.

Janice Alward, Chief Counsel
Bridget Humphrey, Staff Attorney
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

15 Patrick Black
16 FENNEMORE CRAIG, P.C.
2394 E. Camelback Rd., Suite 600
Phoenix, AZ 85016
17 Attorneys for Intevenor Valle Vista Property
Owner Association

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

18 Michael Neal, Statutory Agent
19 Truxton Canyon Water Co., Inc.
7313 E. Concho Drive, Suite B
Kingman, AZ 86401

20
21 By: 
22 Rebecca Unquera
Assistant to Yvette B. Kinsey
23
24
25
26
27
28