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BEFORE THE ARIZONA CORPORATION COMMISSION

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ORIGINAL

PROCEDURAL ORDER

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF
UTILITY SOURCE, LLC, AN ARIZONA
CORPORATION, FOR A DETERMINATION OF
THE FAIR VALUE OF ITS UTILITY PLANTS
AND PROPERTY AND FOR INCREASES IN ITS
WATER AND WASTEWATER RATES AND
CHARGES FOR UTILITY SERVICE BASED
THEREON.

BY THE COMMISSION:

On September 27, 2013, Utility Source, LLC (“Utility Source” or “Company”) filed with the Arizona Corporation Commission (“Commission”) an application for a determination of the current fair value of its utility plants and property and for increases in its rates and charges for water and wastewater utility service provided to customers in the Company’s service area in Coconino County, Arizona.

On July 16, 2014, a Procedural Order was issued scheduling, among other things, a prehearing conference on November 13, 2014, at 10:00 a.m.¹

On October 31, 2014, the Company filed a Motion to Reschedule Procedural Conference requesting that the prehearing conference be rescheduled for 1:00 p.m., or later, on November 13, 2014, due to a scheduling conflict.

On November 4, 2014, a Procedural Order was issued rescheduling the prehearing conference for November 13, 2014, at 2:30 p.m.

On November 13, 2014, the prehearing conference was held as scheduled, with the Company, the Commission’s Utilities Division (“Staff”), and the Residential Utility Consumer Office (“RUCO”) appearing through counsel, and Mr. Nielsen and Mr. Fallon appearing *pro se*.² At that

¹ The procedural history for this case is more fully stated in the July 16, 2014 Procedural Order, and is incorporated herein by reference.

² Mr. Nielsen and Mr. Fallon attended telephonically.

1 time, RUCO requested that the hearing be continued due to a scheduling conflict with RUCO's
2 counsel. The Company, Staff, Mr. Nielsen, and Mr. Fallon agreed to accommodate RUCO's request.

3 On November 14, 2014, a Procedural Order was issued vacating the hearing dates scheduled
4 for November 18, 19, 20, and 21, 2014, and scheduling a procedural conference on November 18,
5 2014, for the purposes of discussing new hearing dates and other procedural matters.

6 On November 18, 2014, the procedural conference was held as scheduled, with the Company,
7 Staff, and RUCO appearing through counsel, and Mr. Nielsen and Mr. Fallon appearing *pro se*.³ Due
8 to scheduling conflicts, Staff and RUCO proposed that the hearing be rescheduled no sooner than
9 January of 2015. The parties agreed to meet and confer regarding potential hearing dates in January
10 and the Company proposed to file a list of mutually agreeable hearing dates for consideration. In
11 addition, an alternative option for treating the income the Company receives from standpipe sales was
12 discussed and the parties were directed to address that alternative at the hearing.

13 On November 18, 2014, a Procedural Order was issued directing, among other things, the
14 Company to file a list of mutually agreeable hearing dates no later than November 26, 2014.

15 On November 26, 2014, the Company filed a Notice of Dates of Availability indicating that
16 all parties are available for hearing on February 17, 18, and 19, 2015.

17 IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall
18 commence on **February 17, 2015, at 10:00 a.m.**, or as soon thereafter as is practical, at the
19 Commission's offices, 1200 West Washington Street, Hearing Room No. 2, Phoenix, Arizona, and
20 shall continue, if necessary, at **9:00 a.m. on February 18, 2015, and February 19, 2015.**

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

24 IT IS FURTHER ORDERED that the **timeclock** for this matter remains suspended pending
25 the hearing.

26
27
28 ³ The Company, Mr. Nielsen, and Mr. Fallon attended telephonically.

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 Presiding Officer may rescind, alter, amend, or waive
10 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

11 DATED this 3rd day of December, 2014.

12 
13 _____
14 SCOTT M. HESLA
15 ADMINISTRATIVE LAW JUDGE

16 Copies of the foregoing mailed
17 this 3rd day of December, 2014, to:

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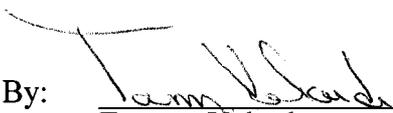
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