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BEFORE THE ARIZONA CORPORATION COMMISSION  
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COMMISSIONERS

Arizona Corporation Commission

- SUSAN BITTER SMITH - Chairman
- BOB STUMP
- BOB BURNS
- DOUG LITTLE
- TOM FORESE

DOCKETED

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AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY

ORIGINAL

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

PROCEDURAL ORDER

BY THE COMMISSION:

On September 15, 2014, the Arizona Corporation Commission ("Commission") issued Decision No. 74742 in this matter, canceling the Certificate of Convenience and Necessity ("CC&N") held by Tusayan Water Development Association, Inc. ("TWDA") to provide water utility service to the Tusayan area and granting Hydro-Resources, Inc. ("Hydro") a CC&N to provide water utility service to the Tusayan area. The Decision also approved, with slight modification, a Settlement Agreement entered into by TWDA, Hydro, and other parties to this matter. TWDA's testimony in this matter indicated that TWDA intended to cease operations and terminate its existence if the Commission granted Hydro a CC&N.

1 On December 29, 2014, TWDA filed a Motion to Terminate Notice and Motion for Leave of  
2 Counsel to Withdraw ("Motion"). The Motion asserts that TWDA has filed Articles of Dissolution  
3 with the Commission's Corporations Division<sup>1</sup> and has terminated its business. The Motion requests  
4 that TWDA no longer be required to participate in or to receive filings related to this matter and,  
5 further, that TWDA's counsel be permitted to withdraw from representation of TWDA in this matter.  
6 The Motion states that TWDA's principals and counsel will continue to facilitate and confirm  
7 TWDA's performance under the Settlement Agreement.

8 On January 5, 2015, Hydro filed a response to the Motion, stating that it has no objection  
9 thereto. No other responsive filings have been made.

10 A.A.C. R14-3-104(E) allows withdrawal of counsel to be granted upon written application  
11 and good cause shown. Arizona Rules of Professional Conduct Rule 1.16 allows for withdrawal from  
12 representation when the withdrawal can be accomplished without material adverse effect on the  
13 interests of the client. Because TWDA has terminated its business and has dissolved, allowing  
14 withdrawal of counsel will not have a material adverse effect on TWDA's interests. Additionally,  
15 TWDA has shown good cause for its Motion to be granted, and no party has objected to the Motion.

16 IT IS THEREFORE ORDERED that TWDA's **Motion to Terminate Notice** is hereby  
17 **granted**, and **TWDA shall be removed from the service list** for this matter going forward.

18 IT IS FURTHER ORDERED that TWDA's **Motion for Leave of Counsel to Withdraw** is  
19 hereby **granted**.

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

23 DATED this 6<sup>th</sup> day of January, 2015.

24  
25   
26 SARAH N. HARPRING  
27 ADMINISTRATIVE LAW JUDGE

28 <sup>1</sup> Official notice is taken that the Commission's Corporations Division database, State of Arizona Public Access System, shows TWDA's dissolution completed as of December 17, 2014.

1 Copies of the foregoing mailed/delivered  
this 6th day of January, 2015, to:

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