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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

SUSAN BITTER SMITH - Chairman
BOB STUMP
BOB BURNS
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TOM FORESE

ORIGINAL

AZ CORP COMMISSION
DOCKET CONTROL

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IN THE MATTER OF THE APPLICATION OF
GRANITE MOUNTAIN WATER COMPANY,
INC. FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-02467A-14-0230

PROCEDURAL ORDER

(Continuing Hearing and
Modifying Procedural Deadlines)

BY THE COMMISSION:

On June 30, 2014, Granite Mountain Water Company, Inc. ("Granite Mountain" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a rate increase. The application noted that the Company's affiliate Chino Meadows II Water Company ("Chino Meadows") also filed a rate application in a separate docket (Docket No. W-2370A-14-0231) on the same day. Granite Mountain requested that its application be processed and heard concurrently with Chino Meadows II's application in order to assure that cost allocations will be consistent in the two cases. To the extent necessary to accommodate the joint processing of the two applications, Granite Mountain waived the timeclock requirements set by the Commission's rules.

On October 7, 2014, a Rate Case Procedural Order was issued setting a hearing to commence on May 5, 2015, and establishing associated procedural deadlines to accommodate the parties' requests for extended discovery timeframes.

On December 10, 2014, Granite Mountain filed an Affidavit of Publication.

On December 12, 2014, Granite Mountain filed an Affidavit of Customer Notice.

Intervention has been granted to Tim Carter.

On February 11, 2015, Staff and Granite Mountain jointly filed a Stipulation to Extension for Time requesting that the hearing be continued to July 7, 2015.

No objection to the joint request was filed.

1 On February 18, 2015, by Procedural Order, the hearing was continued to July 14, 2015, and
2 associated procedural deadlines were also continued. As the May 5, 2015 hearing date had been
3 publicly noticed, that date was reserved for public comment.

4 On May 5, 2015, the hearing was convened for the purpose of taking public comment. One
5 member of the public appeared and provided public comment for the record.

6 On May 8, 2015, Staff and the Company filed their Second Stipulation to Extension of Time
7 ("Stipulation"). The Stipulation was not signed by intervenor Mr. Carter, and the Stipulation does
8 not indicate whether Mr. Carter was contacted prior to its filing.

9 The Stipulation states that the schedule set by the February 18, 2015, Procedural Order was
10 based in significant part on the progression of certain infrastructure projects toward completion, with
11 supporting documentation furnished to Staff by April 1, 2015. The Stipulation states that the
12 anticipated construction schedule was not met, and that Staff now needs additional time to complete
13 its rate case analysis and testimony. Staff and the Company propose a new hearing date of August
14 18, 2015.

15 On May 11, 2015, Tim Carter docketed a filing which states that it includes the major points
16 of his planned testimony at the hearing.

17 No objection to the Stipulation has been filed. The request is reasonable. The hearing should
18 be continued, with associated modifications to the current procedural schedule. Because Mr. Carter
19 pre-filed his direct testimony on May 11, 2015, the Company and Staff should respond to it in their
20 testimony. Mr. Carter may also choose to file additional direct testimony on the new date established
21 herein.

22 IT IS THEREFORE ORDERED that the **hearing** in this matter currently scheduled to
23 commence on **July 14, 2015**, is hereby **continued** to commence on **September 24, 2015, at 10:00**
24 **a.m., or as soon thereafter as is practical**, in Hearing Room No. 1 at the Commission's offices,
25 1200 West Washington, Phoenix, Arizona 85007.

26 IT IS FURTHER ORDERED that the **pre-hearing conference** currently scheduled to be held
27 on **July 8, 2015, at 2:00 p.m.** is hereby **vacated**. Procedural issues related to the hearing will be
28 discussed at the commencement of the hearing on September 24, 2015.

1 IT IS FURTHER ORDERED that the **Staff Report/direct testimony and associated**
2 **exhibits** to be presented at hearing by **Staff** shall be reduced to writing and filed on or before **July**
3 **15, 2015**.

4 IT IS FURTHER ORDERED that **any additional direct testimony and associated exhibits**
5 to be presented at hearing by **intervenors** shall be reduced to writing and filed on or before **July 15,**
6 **2015**.

7 IT IS FURTHER ORDERED that the **rebuttal testimony and associated exhibits** to be
8 presented at hearing by **Granite Mountain** shall be reduced to writing and filed on or before **August**
9 **12, 2015**.

10 IT IS FURTHER ORDERED that the **surrebuttal testimony and associated exhibits** to be
11 presented at hearing by **Staff and intervenors** shall be reduced to writing and filed on or before
12 **September 10, 2015**.

13 IT IS FURTHER ORDERED that the **rejoinder testimony and associated exhibits** to be
14 presented at hearing by **Granite Mountain** shall be reduced to writing and filed on or before
15 **September 18, 2015**.

16 IT IS FURTHER ORDERED that **all testimony** filed shall include a **table of contents** listing
17 the issues discussed.

18 IT IS FURTHER ORDERED that **all filings shall be made by 4:00 p.m.** on the date the
19 filing is due, unless otherwise indicated.

20 IT IS FURTHER ORDERED that **the parties shall prepare, jointly or individually, and**
21 **bring to the pre-hearing conference, copies of an issues matrix** setting forth all disputed issues in
22 the case, the position of each party on each disputed issue, whether the disputed issue remains in
23 dispute or has been resolved, and the manner in which it was resolved.

24 IT IS FURTHER ORDERED that **any objections to prefiled testimony or exhibits shall be**
25 **filed by September 22, 2015**.

26 IT IS FURTHER ORDERED that any **substantive corrections, revisions, or supplements**
27 **to prefiled testimony**, with the exception of rejoinder testimony, shall be reduced to writing and filed
28 no later than five calendar days before the witness is scheduled to testify. Substantive corrections,

1 revisions, or supplements to prefiled rejoinder testimony shall be reduced to writing and presented on
2 the first day of hearing.

3 IT IS FURTHER ORDERED that any motion filed in this matter, other than a motion to
4 intervene, that is not ruled upon by the Commission within 20 calendar days of the filing date of the
5 motion shall be deemed denied.

6 IT IS FURTHER ORDERED that any response to a motion, other than a motion to intervene,
7 shall be filed within five calendar days of the filing date of the motion.

8 IT IS FURTHER ORDERED that any reply related to a motion shall be filed within five
9 calendar days of the filing date of the response to the motion.

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

13 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
14 31, 38 and 42 and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.

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

21 IT IS FURTHER ORDERED that each party to this matter may opt to receive service of all
22 Procedural and Recommended Orders issued by the Commission's Hearing Division in this matter
23 via e-mail rather than U.S. Mail, as permitted under A.A.C. R14-3-107(B). To exercise this option, a
24 party shall send to hearingsdivision@azcc.gov, from the e-mail address at which the party desires to
25 receive service, an e-mail request including the name of the party on whom service is to be made and
26 the docket number for this matter. After a party receives an e-mail confirmation of its request from
27 hearingsdivision@azcc.gov, the party will receive all future Procedural and Recommended Orders
28 issued by the Hearing Division in this matter via e-mails to the address provided by the party, unless

1 and until the party withdraws its request. Service of a document via e-mail shall be considered
2 complete upon the sending of an e-mail containing the document to the e-mail address provided by a
3 party, regardless of whether the party receives or reads the e-mail containing the document.

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 15th day of May, 2015.

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10 
11 TEENA JIBILIAN
ADMINISTRATIVE LAW JUDGE

12 Copies of the foregoing mailed/delivered
this 15th day of May, 2015 to:

13 Craig A. Marks
14 CRAIG A. MARKS, PLC
10645 N. Tatum Blvd, Suite 200-676
15 Phoenix, AZ 85028
Attorney for Granite Mountain Water
16 Company, Inc.

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

17 Tim Carter
2701 Boone Court
18 Prescott, AZ 86305

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

19 Janice Alward, Chief Counsel
Bridget Humphrey, Staff Attorney
20 Matthew Laudone, Staff Attorney
Legal Division
ARIZONA CORPORATION COMMISSION
21 1200 West Washington Street
Phoenix, AZ 85007
22

23 By: Rebecca Unquera
24 Rebecca Unquera
25 Assistant to Teena Jibilian
26
27
28