

ORIGINAL



0000163812

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COMMISSIONERS

Arizona Corporation Commission

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

DOCKETED

2015 JUL 30 A 9:37

JUL 30 2015

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY MLB

IN THE MATTER OF THE JOINT APPLICATION
OF WILLOW VALLEY WATER CO., INC. AND
EPCOR WATER ARIZONA, INC. FOR
APPROVAL OF THE SALE OF ASSETS AND
TRANSFER OF CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-01732A-15-0131
DOCKET NO. W-01303A-15-0131

PROCEDURAL ORDER

BY THE COMMISSION:

On April 22, 2015, Willow Valley Water Co., Inc. ("Willow Valley") and EPCOR Water Arizona Inc. ("EPCOR") (collectively "Applicants") filed with the Arizona Corporation Commission ("Commission") an application for approval of the sale of Willow Valley's assets and the transfer of its Certificate of Convenience and Necessity ("CC&N") to EPCOR.

On May 5, 2015, the Residential Utility Consumer Office ("RUCO") filed an Application to Intervene.

By Procedural Order dated May 19, 2015, RUCO was granted intervention in this proceeding.

On June 1, 2015, EPCOR filed a Supplement to Application seeking approval of a surcharge mechanism to recover the portion of the purchase price in excess of Willow Valley's rate base.

On July 27, 2015, RUCO filed a Request for a Procedural Order requesting that a procedural order be issued establishing dates for filing testimony and scheduling a hearing.

Since the Commission's Utilities Division ("Staff") has not yet filed a Letter of Sufficiency, and since the parties have not proposed dates for filing testimony or scheduling a hearing, it is therefore necessary to convene a procedural conference to discuss scheduling and other procedural matters.

IT IS THEREFORE ORDERED that a **Procedural Conference** shall commence on **August 10, 2015, at 1:30 p.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West

1 Washington Street, Hearing Room No. 1, Phoenix, Arizona.

2 IT IS FURTHER ORDERED that, as permitted under A.A.C. R14-3-107(B), each party to
3 this matter may opt to receive service of all filings in this docket, including all filings by parties and
4 all Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the
5 Commission's Hearing Division, via email sent to an email address provided by the party rather than
6 via U.S. Mail. To exercise this option, a party shall:

- 7 1. Ensure that the party has a valid and active email address to which the party has
8 regular and reliable access ("designated email address");
- 9 2. Complete a Consent to Email Service form, available on the Commission's website
10 (www.azcc.gov);
- 11 3. File the original and 13 copies of the Consent to Email Service form with the
12 Commission's Docket Control, also providing service to each party to the service list;
- 13 4. Send an email, containing the party's name and the docket number for this matter, to
14 HearingDivisionServicebyEmail@azcc.gov from the designated email address, to
15 allow the Hearing Division to verify the validity of the designated email address;
- 16 5. Understand and agree that service of a document on the party shall be complete upon
17 the sending of an email containing the document to the designated email address,
18 regardless of whether the party receives or reads the email containing the document;
19 and
- 20 6. Understand and agree that the party will no longer receive service of filings in this
21 matter through First Class U.S. Mail or any other form of hard-copy delivery, unless
22 and until the party withdraws this consent through a filing made in this docket.

23 IT IS FURTHER ORDERED that a party's consent to email service shall not become
24 effective until a Procedural Order is issued approving the use of email service for the party. The
25 Procedural Order shall be issued only after the party has completed steps 1 through 4 above, and the
26 Hearing Division has verified receipt of an email from the party's designated email address.

27 IT IS FURTHER ORDERED that a party's election to receive service of all filings in this
28 matter via email does not change the requirement that all filings with the Commission's Docket

1 Control must be made in hard copy and must include an original and 13 copies.

2 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
3 31, 38, 42 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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

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

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

16 DATED this 30th day of July, 2015.



19 SCOTT M. HESLA
20 ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed/delivered
22 this 30th day of July, 2015 to:

23 Thomas Campbell
24 Stanley B. Lutz
25 LEWIS ROCA ROTHGERBER, LLO
26 201 E. Washington Street
27 Phoenix, AZ 85004
28 Attorneys for EPCOR Water Arizona, Inc.

...

...

1 Timothy Sabo
Snell & Wilmer
2 One Arizona Center
400 E. Van Buren Street, Suite 1900
3 Phoenix, AZ 85004
Attorneys for Willow Valley Water Co., Inc.

4 Daniel W. Pozefsky
5 Residential Utility Consumer Office
1110 W. Washington Street, Suite 220
6 Phoenix, AZ 85007

7 Janice Alward, Chief Counsel
8 Legal Division
ARIZONA CORPORATION COMMISSION
9 1200 W. Washington Street
Phoenix, AZ 85007

10 Thomas Broderick, Director
11 Utilities Division
12 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
13 Phoenix, AZ 85007

14 COASH & COASH
15 COURT REPORTING, VIDEO AND
VIDEOCONFERENCING
16 1802 North 7th Street
Phoenix, AZ 85006

17 By: Rebecca Unquera
18 Rebecca Unquera
Assistant to Scott M. Hesla

19
20
21
22
23
24
25
26
27
28