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BEFORE THE ARIZONA CORPORATION COMMISSION

SUSAN BITTER SMITH
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Arizona Corporation Commission
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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

**RUCO'S REQUEST FOR AN EXTENSION OF TIME TO FILE SURREBUTTAL
TESTIMONY, TO RESCHEDULE EVIDENTIARY HEARING AND
OBJECTION TO AFFIDAVIT OF MIKE LIEBMAN FILED ON NOVEMBER 3, 2015**

The Residential Utility Consumer Office ("RUCO") requests an extension of time to file its surrebuttal testimony, to reschedule the evidentiary hearing and objects to the Company's affidavit of Mike Liebman that the Company filed on November 3, 2015.

The largest contested issues in the Company's application are the Accumulated Deferred Income Tax ("ADIT") question and the proposed acquisition premium. The Company has recently filed new information on the ADIT issue regarding the tax normalization rule and RUCO needs time to analyze the issue. New information was also filed on the acquisition premium, to which RUCO needs time to do additional discovery to seek clarification on how it works. In addition, RUCO's chief witness in this case is Jeffrey Michlik. Mr. Michlik is also filing Direct Testimony this Friday, November 6, 2015, in the UNS Electric case. RUCO needs an

1 extension in order to collect data in light of this Company recent filings and to prepare its
2 surrebuttal testimony. RUCO's administrative assistant will be out of the office on November
3 12-13, so RUCO requests the filing date for its surrebuttal testimony be extended to Monday
4 November 16, 2015.

5 RUCO also requests that the evidentiary hearing be rescheduled to start on
6 Wednesday, November 23, 2015. The hearing is currently scheduled to start on November 16,
7 2015 which conflicts with RUCO's proposed date for filing its surrebuttal testimony, thus the
8 extra time is needed to evaluate further discovery, gain clarification on issues, and prepare for
9 the evidentiary hearing.

10 RUCO would further note that the present case is not a rate case and subject to time
11 clock considerations so the minor delays sought should be harmless to all parties involved.
12 RUCO makes these requests in good faith and not for the purpose of delay.

13 Finally, RUCO objects to the Affidavit of Mike Liebman filed on November 3, 2015. Mr.
14 Liebman's Affidavit was not filed as testimony nor under any provision of the procedural
15 schedule. The Company appears to be offering Mr. Liebman's Affidavit as evidence. However,
16 it would be inappropriate under the Commission's process and the Rules of Evidence, as Mr.
17 Liebman would not be subject to cross examination or any further inquiry under the Company's
18 filing. The Company appears to be filing the Affidavit, as an attempt to include additional
19 evidence, after the expiration of the Company's procedural deadline for filing its rebuttal
20 testimony of October 23, 2015.

21 RUCO has contacted Staff who advises that they are fine with the extensions of time.
22 RUCO contacted the Company but has not heard back.

1 RESPECTFULLY SUBMITTED this 4th day of November, 2015

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3 

4 Jordy Fuentes
Counsel

5 AN ORIGINAL AND THIRTEEN COPIES
6 of the foregoing filed this 4th day
7 of November, 2015 with:

8 Docket Control
9 Arizona Corporation Commission
10 1200 West Washington
11 Phoenix, Arizona 85007

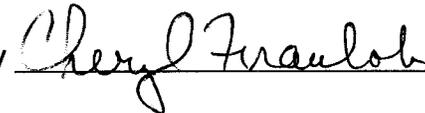
12 COPIES of the foregoing hand delivered/
13 mailed this 4th day of November, 2015 to:

14 Scott Hesla
15 Hearing Division
16 Arizona Corporation Commission
17 1200 W. Washington
18 Phoenix, Arizona 85007

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

19 Robin Mitchell
20 Legal Division
21 Arizona Corporation Commission
22 1200 West Washington
23 Phoenix, Arizona 85007

24 Thomas Broderick
Utilities Division
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

By 

Thomas Campbell
Stanley B. Lutz
Lewis Roca Rothgerber, LLP
201 E. Washington Street
Phoenix, Arizona 85004
Attorneys for EPCOR Water Arizona, Inc.