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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

Arizona Corporation Commission

2015 NOV -3 P 3: 06

DOCKETED

NOV 03 2015

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
MANAGEMENT SYSTEMS LLC DBA JAKES
CORNER WATER SYSTEM FOR APPROVAL OF
AN EMERGENCY INCREASE IN RATES.

DOCKET NO. W-20935A-15-0338

PROCEDURAL ORDER
(Schedules Hearing)

BY THE COMMISSION:

On September 28, 2015, Management Systems LLC dba Jakes Corner Water System ("JCWS" or "Company") filed an application with the Arizona Corporation Commission ("Commission") for approval of an emergency rate increase.

On the same date, Arroyo Water Company LLC ("Arroyo") filed an application with the Commission for approval of an emergency rate increase. JCWS and Arroyo are both owned by Management Systems LLC.

On September 30, 2015, by Procedural Order, a procedural conference was scheduled to commence on October 15, 2015, to discuss scheduling and other procedural issues associated with both emergency rate case applications.

On October 15, 2015, a procedural conference was held as scheduled. Staff appeared through counsel and Mr. Michael Armstead, managing member of Management Systems LLC, appeared on behalf of Arroyo and JCWS, to discuss scheduling the hearings and the timing for filing the Staff Reports and responses thereto. During the procedural conference Staff stated it would file its Staff Reports on the two emergency rates cases on or before November 16, 2015. Mr. Armstead agreed to file responses to the Staff Reports on or before November 30, 2015. Staff and the Company agreed to a December 7, 2015 hearing date and that JCWS' and Arroyo's emergency rate case applications would be heard consecutively on the same date.

IT IS THEREFORE ORDERED that a hearing on JCWS' application for an emergency

1 **rate increase shall commence on December 7, 2015, at 10:00 a.m.,** at the Commission's Phoenix
 2 Offices, Hearing Room No. 1, 1200 W. Washington St., Phoenix, Arizona 85007.

3 IT IS FURTHER ORDERED that **Staff shall file its Staff Report in this matter on or before**
 4 **November 16, 2015.**

5 IT IS FURTHER ORDERED that **the Company and/or intervenors shall file any Response**
 6 **to the Staff Report on or before November 30, 2015.**

7 IT IS FURTHER ORDERED that any Reply by Staff or additional testimony by the Company
 8 will be taken verbally during the hearing.

9 IT IS FURTHER ORDERED that **JCWS shall provide public notice of the hearing** in this
 10 matter in the following form and style:

11 **PUBLIC NOTICE OF THE HEARING**
 12 **ON THE APPLICATION OF**
 13 **MANAGEMENT SYSTEM LLC**
 14 **DBA JAKES CORNER WATER SYSTEM FOR**
 15 **AN EMERGENCY RATE INCREASE,**
 16 **DOCKET NO. W-20935A-15-0338**

17 On September 28, 2015, Management Systems LLC dba Jakes Corner Water System
 18 ("Company") filed an application with the Arizona Corporation Commission
 19 ("Commission") for approval of an emergency rate increase. The Company is
 20 requesting an emergency revenue increase to bring the water system into compliance
 21 with Arizona Department of Environmental Quality requirements and to cover repairs
 22 to its water system. The Company requests emergency rate relief in the amount of
 23 \$37,000.

24 **The Commission's Utilities Division ("Staff") is in the process of evaluating the**
 25 **Company's request, and will file its recommendation in this matter by November**
 26 **16, 2015. The Commission is not bound by the proposals made by the Company,**
 27 **Staff or possible intervenors, and the Commission may approve the amount of the**
 28 **request, modify the amount (higher or lower), or deny the request.**

29 **The Commission will conduct a hearing on this matter on December 7, 2015,**
 30 **commencing at 10:00 a.m., at the Commission's Phoenix offices, Hearing Room**
 31 **No. 1, 1200 West Washington, Phoenix, AZ 85007.** Written public comments may be
 32 submitted by mailing a letter **referencing Docket No. W-20935A-15-0338** to Arizona
 33 Corporation Commission, Consumer Services Section, 1200 West Washington,
 34 Phoenix, AZ 85007, or by submitting comments on the Commission's website
 35 (www.azcc.gov) using the "Submit a Public Comment for a Utility" function. If you
 36 require assistance, you may contact the Consumer Services Section at 602-542-4251 or
 37 1-800-222-7000.

38 Copies of the parties' filings are available for public inspection during regular business
 hours at the Company's offices located at [Insert Address], and at the Commission's
 Docket Control Center at 1200 West Washington Street, Phoenix, Arizona 85007. All

1 documents filed in this matter are also available on the Commission's website
2 (www.azcc.gov) using the e-Docket function and entering Docket No. W-20935A-15-
3 0338.

4 The law provides for an open public hearing at which, under appropriate circumstances,
5 interested parties may intervene. Any person or entity entitled by law to intervene and
6 having a direct and substantial interest in the matter will be permitted to intervene.
7 Anyone who wishes to intervene must file an original and 13 copies of a written motion
8 to intervene with the Commission's Docket Control Center no later than **November 23,**
9 **2015**, and send a copy of the motion to the Company or its counsel and to all parties of
10 record. Your motion to intervene must contain the following:

- 11 1. Your name, address, and telephone number and the name, address, and
12 telephone number of any person upon whom service of documents is to be
13 made, if not yourself;
- 14 2. The docket number for the case: W-20935A-15-0338;
- 15 3. A short statement explaining:
 - 16 a. Your interest in the proceeding (e.g. a customer or potential customer
17 of the Company, a member or shareholder of the Company, etc.);
 - 18 b. How you will be directly and substantially affected by the outcome of
19 the case; and
 - 20 c. Why your intervention will not unduly broaden the issues in the case;
- 21 4. A statement certifying that you have served a copy of the motion to intervene
22 on the Company or its counsel and on all other parties of record in the case; and
- 23 5. If you are not represented by an attorney who is an active member of the
24 Arizona State Bar, and you are not representing yourself as an individual,
25 sufficient information and any appropriate documentation to demonstrate
26 compliance with Arizona Supreme Court Rules 31, 38 and 42, as applicable.

27 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
28 that all motions to intervene must be filed on or before November 23, 2015. If
representation by counsel is required by Arizona Supreme Court Rule 31, intervention
will be conditioned upon the intervenor obtaining counsel to represent the intervenor.
Information about intervention is available on the Commission's at www.azcc.gov,
through the "Intervention in Utility Cases" function. The granting of intervention,
among other things, entitles a party to present sworn evidence at the hearing and to
cross-examine other witnesses. However, failure to intervene will not preclude any
interested person or entity from appearing at the hearing and providing public comment
or from filing written comments in the record of the case.

The Commission does not discriminate on the basis of disability in admission to its
public meetings. Persons with a disability may request a reasonable accommodation,
such as a sign language interpreter, as well as request this document in an alternative
format, by contacting the ADA Coordinator, Shaylin Bernal, e-mail sabernal@azcc.gov,
voice phone number 602-542-3931. Requests should be made as early as possible to
allow time to arrange the accommodation.

1 IT IS FURTHER ORDERED that Management Systems LLC dba Jakes Corner Water
2 System, shall mail by first-class U.S. Mail, to each customer a copy of this notice to begin as soon
3 as possible, and to be completed on or before November 13, 2015.

4 IT IS FURTHER ORDERED that Management Systems LLC dba Jakes Corner Water
5 System, shall file a certification of mailing of the above notice as soon as practical, but no later
6 than November 30, 2015.

7 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing,
8 notwithstanding the failure of an individual customer to read or receive the notice.

9 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-
10 105, except that all motions to intervene must be filed on or before November 23, 2015.

11 IT IS FURTHER ORDERED that objections to intervention shall be filed on or before
12 November 30, 2015.

13 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
14 Communications) applies to this proceeding as the matter is now set for public hearing.

15 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
16 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure

17 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
18 31, 38, and 42, and A.R.S. §40-243 with respect to practice of law and admission *pro hac vice*.

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

- 24 1. Ensure that the party has a valid and active email address to which the party has regular
25 and reliable access (“designated email address”);
- 26 2. Complete a Consent to Email Service form, available on the Commission’s website
27 (www.azcc.gov);

28

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

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

17 IT IS FURTHER ORDERED that a party's election to receive service of all filings in this matter
18 via email does not change the requirement that all filings with the Commission's Docket Control must
19 be made in hard copy and must include an original and 13 copies.

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

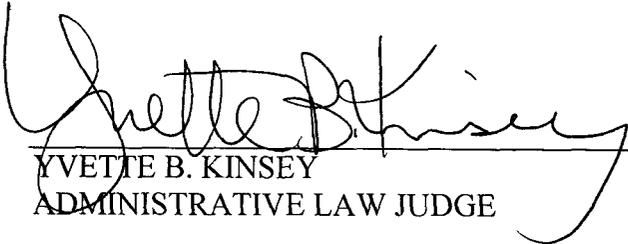
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1 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or
2 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
3 hearing.

4
5 DATED this 3rd day of November, 2015.

6
7
8 
9 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/emailed
11 this 3rd day of November, 2015 to:

12 Michael Armstead
13 MANAGEMENT SYSTEMS LLC
14 211 W. Saddle Lane
Payson, AZ 85541
ymepayson@msn.com

15 Janice Alward, Chief Counsel
16 Legal Division
ARIZONA CORPORATION COMMISSION
17 1200 West Washington Street
Phoenix, AZ 85007

18 Thomas Broderick, Director
19 Utilities Division
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20 1200 West Washington Street
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21 COASH & COASH, INC.
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1802 North 7th Street
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24 By: Rebecca Unquera
25 Rebecca Unquera
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