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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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SUSAN BITTER SMITH - Chairman
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NOV 18 2015

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
LIBERTY UTILITIES (BLACK MOUNTAIN
SEWER) CORP., AN ARIZONA CORPORATION,
FOR AUTHORITY TO ISSUE EVIDENCE OF
INDEBTEDNESS IN AN AMOUNT NOT TO
EXCEED \$3,400,000.

DOCKET NO. SW-02361A-15-0206

IN THE MATTER OF THE APPLICATION OF
LIBERTY UTILITIES (BLACK MOUNTAIN
SEWER) CORP., AN ARIZONA CORPORATION,
FOR A DETERMINATION OF THE FAIR VALUE
OF ITS UTILITY PLANTS AND PROPERTY AND
FOR INCREASES IN ITS WASTEWATER RATES
AND CHARGES FOR UTILITY SERVICE BASED
THEREON.

DOCKET NO. SW-02361A-15-0207

PROCEDURAL ORDER
(Grants Extension)

BY THE COMMISSION:

On June 22, 2015, Liberty Utilities (Black Mountain Sewer) Corp. ("Liberty") filed with the Arizona Corporation Commission ("Commission"), in Docket No. SW-02361A-15-0206, an application requesting authority from the Commission to issue evidence of indebtedness in a total amount not to exceed \$3,400,000 ("Finance Docket").

Also on June 22, 2015, Liberty filed with the Commission, in Docket No. SW-02361A-15-0207, an application requesting that the Commission establish the fair value of its plant and property used for the provision of public wastewater utility service and, based on such finding, approve permanent rates and charges for utility service designed to produce a fair return thereon using a test year ending December 31, 2014 ("Rates Docket").

On June 23, 2015, Liberty filed Motions to Consolidate in both the Finance Docket and the Rates Docket. Liberty stated that, by consolidating both proceedings, resources would be better utilized as both dockets are "inextricably linked."

On July 6, 2015, by Procedural Order, the above captioned dockets were consolidated.

1 On July 15, 2015, Liberty filed an Amendment to its Application.

2 On July 16, 2015, the Commission's Utilities Division ("Staff") issued a Letter of Sufficiency
3 stating that Liberty's rate application had met the sufficiency requirements of Arizona Administrative
4 Code ("A.A.C.") R14-2-103 and that Liberty had been classified as a Class C utility.

5 On July 17, 2015, Residential Utility Consumer Office ("RUCO") filed an Application to
6 Intervene.

7 On July 21, 2015, CP Boulders, LLC dba the Boulders Resort ("the Boulders") filed an
8 Application to Intervene.

9 On July 31, 2015, by Procedural Order, the Boulders and RUCO were granted intervention.
10 The Procedural Order also scheduled an evidentiary hearing to commence on January 12, 2016, and
11 established procedural deadlines.

12 On August 12, 2015, Staff filed a Request for Modification of Procedural Schedule ("Request")
13 stating that due to the complexity of the issues regarding rate design and plant closure, Staff required
14 additional time to process Liberty's application. Staff's Request provided a proposed procedural
15 schedule and also noted that Liberty, RUCO, and the Boulders had no objection to Staff's proposed
16 procedural schedule

17 On August 19, 2015, by Procedural Order, Staff's Request was granted and the procedural
18 schedule was modified.

19 On August 21, 2015, Liberty filed a Consent to Email Service.

20 On September 22, 2015, Liberty filed a Notice of Filing Certification of Publication and Proof
21 of Mailing.

22 On September 23, 2015, the Town of Carefree ("Town") filed an Application for Leave to
23 Intervene.

24 On October 7, 2015, by Procedural Order, the Town was granted Intervention.

25 On November 10, 2015, Staff filed a Consent to Email Service.

26 On November 16, 2015, Liberty filed a Notice of Filing Proposed Settlement Agreement.

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1 On November 17, 2015, Staff filed a Motion for Extension of Time for Filing Testimony,
2 requesting that the remaining filing dates for testimony be extended by two weeks. The filing stated
3 that no party objects to the extension of time.

4 Additionally, Staff has opted to receive service of all filings in this docket, including all filings
5 by parties and all Procedural Orders and Recommended Opinions and Orders/Recommended Orders
6 issued by the Commission's Hearing Division, via its designated email address rather than via U.S.
7 Mail. Staff has exercised this option, pursuant to the Procedural Order issued on August 19, 2015, by
8 docketing a hard copy of its Consent to Email Service, by sending an email containing Staff's name
9 and the docket number for this matter, to HearingDivisionServicebyEmail@azcc.gov from its
10 designated email address, which now appears on the service list for this matter in addition to Staff's
11 address for U.S. Mail.

12 Staff's Consent to Email Service should be approved.

13 IT IS THEREFORE ORDERED that Staff's request for an extension of time for the remaining
14 testimony due dates is hereby granted.

15 IT IS FURTHER ORDERED that **direct testimony**, except rate design testimony, and
16 associated exhibits to be presented at hearing on behalf of Staff and intervenors shall be filed on or
17 before **December 2, 2015**.

18 IT IS FURTHER ORDERED that **rate design testimony** and associated exhibits to be
19 presented at hearing shall be filed on or before **December 16, 2015**.

20 IT IS FURTHER ORDERED that **rebuttal testimony** and associated exhibits to be presented
21 at hearing on behalf of Liberty shall be filed on or before **January 6, 2016**.

22 IT IS FURTHER ORDERED that **surrebuttal testimony** and associated exhibits to be
23 presented at hearing on behalf of Staff and intervenors shall be filed on or before **January 20, 2016**.

24 IT IS FURTHER ORDERED that **rejoinder testimony** and associated exhibits to be presented
25 at hearing on behalf of Liberty shall be filed on or before **January 27, 2016 by 2:00 p.m.**

26 IT IS FURTHER ORDERED that the hearing date and pre-hearing conference date shall remain
27 February 1, 2016 and January 28, 2016, respectively.

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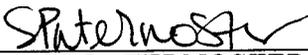
1 IT IS FURTHER ORDERED that Staff's request to receive service of all filings in this docket,
2 including all filings by parties and all Procedural Orders and Recommended Opinions and
3 Orders/Recommended Orders issued by the Commission's Hearing Division, via its designated email
4 address rather than via U.S. Mail, is hereby approved.

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

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

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

14 DATED this 19th day of November, 2015.

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16 
17 _____
18 SASHA PATERNOSTER
19 ADMINISTRATIVE LAW JUDGE

20 Copies of the foregoing mailed/delivered
21 this 19th day of November, 2015 to:

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Consented to Service by Email

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Consented to Service by Email

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23 By: 
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25 Assistant to Sasha Paternoster
26
27
28