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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

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SUSAN BITTER SMITH - Chairman  
BOB STUMP  
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DOUG LITTLE  
TOM FORESE

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AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
GONZALEZ UTILITY SERVICES, LLC FOR  
APPROVAL OF THE PURCHASE OF ASSETS  
AND TRANSFER OF CERTIFICATE OF  
CONVENIENCE AND NECESSITY FROM  
CARTER WATER COMPANY.

DOCKET NOS. W-02721A-15-0328  
W-20940A-15-0328

**PROCEDURAL ORDER**  
**(Schedules Hearing)**

BY THE COMMISSION:

On September 15, 2015, Gonzalez Utility Services, LLC ("Gonzalez") filed with the Arizona Corporation Commission ("Commission") an application for approval of the purchase of assets and transfer of Certificate of Convenience and Necessity ("CC&N") from Carter Water Company ("Carter").

On October 13, 2015, Gonzalez filed an affidavit of publication verifying that notice of the application was published in the *Coolidge Examiner* on September 30, 2015.

On October 15, 2015, the Commission's Utilities Division Staff ("Staff") filed an Insufficiency Letter indicating that the application did not meet the sufficiency requirements outlined in the Arizona Administrative Code ("A.A.C") R14-2-402.

On November 5, 2015, Gonzalez filed an amendment to the application.

On November 18, 2015, Staff filed a Sufficiency Letter stating that the application, as amended, had met the sufficiency requirements outlined in A.A.C. R14-2-402.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that a **hearing** in the above-captioned matter shall commence on **February 4, 2016, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Hearing Room No. 1, Phoenix, Arizona.

1 IT IS FURTHER ORDERED that Staff shall file its **Staff Report** and associated exhibits to be  
2 presented at the hearing on or before **January 14, 2016**.

3 IT IS FURTHER ORDERED that any **objection(s) to the Staff Report** shall be reduced to  
4 writing and filed on or before **January 26, 2016**.

5 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-105,  
6 except that all motions to intervene must be filed on or before **January 19, 2016**.

7 IT IS FURTHER ORDERED that any objection(s) to motions to intervene shall be filed on or  
8 before January 28, 2016.

9 IT IS FURTHER ORDERED that Gonzalez Utility Services, LLC shall provide **public notice**  
10 of the hearing in this matter, in the following form and style:

11 **IN THE MATTER OF THE APPLICATION OF GONZALEZ UTILITY**  
12 **SERVICES, LLC FOR APPROVAL OF THE PURCHASE OF ASSETS AND**  
13 **TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY**  
14 **FROM CARTER WATER COMPANY,**  
15 **(DOCKET NOS. W-02721A-15-0328 AND W-20940A-15-0328)**

16 On September 15, 2015, Gonzalez Utility Services, LLC (“Applicant”) filed with the  
17 Arizona Corporation Commission (“Commission”) an application for approval of the  
18 purchase of assets and transfer of Certificate of Convenience and Necessity (“CC&N”) from Carter Water Company (“Application”). The Application is available for inspection during regular business hours at the Commission’s offices, 1200 West Washington Street, Phoenix, Arizona, and at the offices of the Applicant, *[insert address]*, and on the internet via the Commission’s website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function.

19 The Commission will hold a hearing on this matter commencing on **February 4, 2016,**  
20 **at 10:00 a.m.**, at the Commission’s offices, 1200 West Washington Street, Hearing Room No. 1, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted electronically by accessing the Commission’s website ([www.azcc.gov](http://www.azcc.gov)) and clicking on the “Submit a Public Comment” button or by mailing a letter referencing Docket Nos. W-02721A-15-0328 and W-20940A-15-0328 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007.

21 The law provides for an open public hearing at which, under appropriate circumstances,  
22 interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you would like to intervene, you must file a written motion to intervene with the Commission, and you must send copies of the motion to all parties of record in the case. Your motion to intervene must contain the following:  
23  
24  
25  
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28

- 1           2. Your name, address, and telephone number, and the name, address, and  
2           telephone number of any party upon whom documents are to be served in your  
3           place, if desired;
- 4           3. A short statement of your interest in the proceeding (e.g., a customer of the  
5           Applicant, a shareholder of the Applicant, etc.);
- 6           4. A statement certifying that a copy of your motion to intervene has been mailed  
7           to all parties of record in the case; and
- 8           5. If the proposed intervenor is not represented by an attorney who is an active  
9           member of the Arizona State Bar, and is not an individual representing himself  
10          or herself, information and any appropriate documentation demonstrating the  
11          intervenor's compliance with Arizona Supreme Court Rules 31, 38, and 42, as  
12          applicable.

13           The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
14           that all motions to intervene must be filed on or before **January 19, 2016**. If  
15           representation by counsel is required by Arizona Supreme Court Rules 31 and 38,  
16           intervention will be conditioned upon the intervenor's obtaining counsel to represent  
17           the intervenor. Information about intervention and sample intervention requests are  
18           available on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Intervention in  
19           Utility Cases" link. The granting of intervention, among other things, entitles a party  
20           to present sworn evidence at hearing and to cross-examine witnesses. However, failure  
21           to intervene will not preclude any interested person or entity from appearing at the  
22           hearing and providing public comment on the applications or from filing written  
23           comments in the record of the case.

24           The Commission does not discriminate on the basis of disability in admission to its  
25           public meetings. Persons with a disability may request a reasonable accommodation  
26           such as a sign language interpreter, as well as request this document in an alternative  
27           format, by contacting the ADA Coordinator Shaylin Bernal, at [SABernal@azcc.gov](mailto:SABernal@azcc.gov),  
28           or voice phone number 602-542-3931. Requests should be made as early as possible  
            to allow time to arrange the accommodation.

            IT IS FURTHER ORDERED that Gonzalez Utility Services, LLC shall cause the above notice  
to be mailed to the customers and published at least once in a newspaper of general circulation in the  
service territory, with mailing and publication to be completed no later than **December 30, 2015**.

            IT IS FURTHER ORDERED that Gonzalez Utility Services, LLC shall file certification of  
publication as soon as practicable after the publication has been completed, but not later than **January  
20, 2016**.

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

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

1 in effect until the Commission's Decision in this matter is final and non-appealable.

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

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

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

13 DATED this 25<sup>th</sup> day of November, 2015.

14   
15 SCOTT M. HESLA  
16 ADMINISTRATIVE LAW JUDGE

17 Copies of the foregoing mailed/delivered  
this 25<sup>th</sup> day of November 2015, to:

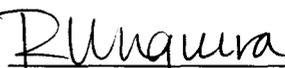
18 Carol Gonzalez  
19 GONZALEZ UTILITY SERVICES, LLC  
20 P.O. Box 86205  
Phoenix, AZ 85080

Thomas Broderick, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

21 Gene Carter  
22 CARTER WATER COMPANY  
3951 N. Wheeler Road  
Coolidge, AZ 85728

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

23 Janice Alward, Chief Counsel  
24 Legal Division  
ARIZONA CORPORATION COMMISSION  
25 1200 West Washington Street  
Phoenix, AZ 85007

26  
27 By:   
28 Rebecca Unquera  
Assistant to Scott M. Hesla