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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

DOUG LITTLE – Interim Chairman
BOB STUMP
BOB BURNS
TOM FORESE
VACANT

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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

JAN 27 2016

DOCKETED BY *MLC*

IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY TO EXTEND ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY IN CASA GRANDE, PINAL
COUNTY, ARIZONA.

DOCKET NO. W-01445A-03-0559

PROCEDURAL ORDER

BY THE COMMISSION:

This matter was originally commenced on August 12, 2003, when Arizona Water Company (“AWC”) filed an application for an extension of its Certificate of Convenience and Necessity (“CC&N”) in Pinal County, Arizona. This matter is currently on remand from Decision No. 69722 (July 30, 2007) and scheduled for a hearing to commence on February 18, 2016, specifically to determine “whether a public service corporation, like Arizona Water, in this water challenged area and under the circumstances presented in this case, is providing reasonable service if it is not able or not willing to provide integrated water and wastewater services.”¹ The parties to this matter are AWC, Cornman Tweedy 560, LLC (“Cornman”), and the Commission’s Utilities Division (“Staff”).

The lengthy procedural history for this matter has been set forth at length in the Procedural Order issued on December 9, 2015, and in prior Procedural Orders and will not be repeated herein.

On December 9, 2015, a Procedural Order was issued ruling upon a motion to strike testimony; scheduling a hearing to commence on February 18, 2016; directing Staff to participate actively and fully as a party in the current stage of this matter; and establishing procedural requirements and deadlines. One of the requirements was for each party to file, by January 28, 2016, a document that identifies, updates, and corrects the pre-filed testimony and previously admitted evidence upon which the party intends to rely at this stage in this matter.

¹ At its Open Meeting on February 1, 2011, the Commission did not vote on a Recommended Order on Remand from Decision No. 69722, issued in this matter on November 29, 2010, but instead voted to send the matter back to the Hearing Division for further proceedings to make the determination quoted.

1 On January 4, 2016, AWC filed a Motion for Revisions to December 9, 2015 Procedural Order.

2 On January 5, 2016, a Procedural Order was issued revising the procedural schedule in response
3 to AWC's Motion for Revisions to December 9, 2015 Procedural Order. AWC was directed to file
4 surrebuttal testimony by January 11, 2016; to file any testimony responding to Staff's testimony by
5 January 28, 2016; and to file any testimony responding to Staff's responsive testimony by February 16,
6 2016. Cornman was directed to file rejoinder testimony and any testimony responding to Staff's
7 testimony by January 28, 2016, and to file any testimony responding to Staff's responsive testimony
8 by February 16, 2016. Staff was directed to file any testimony responding to AWC and Cornman's
9 responsive testimony by February 9, 2016.

10 On January 6, 2016, Staff filed Staff's Responsive Testimony.

11 On January 11, 2016, AWC filed its Surrebuttal Testimony.

12 On January 25, 2016, Cornman filed both a Notice of Counsel's Change of Address and
13 Cornman Tweedy 560's Request to Revise Procedural Schedule ("Request"). In the Request, Cornman
14 asks to have the deadline for all filings currently due on January 28, 2016, extended to February 1,
15 2016, for all parties. Cornman bases its Request upon counsel's workload and a witness who has been
16 out of town. Cornman stated that counsel for AWC and Staff have been informed of and have no
17 objections to the requested revisions to the procedural schedule.

18 It is reasonable to revise the procedural schedule in response to Cornman's Request.

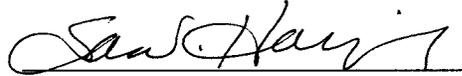
19 IT IS THEREFORE ORDERED that the procedural schedule established by the Procedural
20 Order issued on December 9, 2015, and modified by the Procedural Order issued on January 5, 2016,
21 is hereby modified by **extending all of the January 28, 2016, filing deadlines to February 1, 2016.**

22 IT IS FURTHER ORDERED that the provisions of the December 9, 2015, Procedural Order
23 and January 5, 2016, Procedural Order not modified by the immediately preceding ordering paragraph
24 remain in full force and effect.

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

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 DATED this 27th day of January, 2016.

5
6 
7 SARAH N. HARPRING
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 27th day of January, 2016, to:

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