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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

DOUG LITTLE – Chairman  
BOB STUMP  
BOB BURNS  
TOM FORESE  
ANDY TOBIN

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2016 MAR 21 AM 11:52

SWING FIRST GOLF LLC,

Complainant,

vs.

JOHNSON UTILITIES, L.L.C.,

Respondent.

Arizona Corporation Commission

DOCKET NO. WS-02987A-16-0017

DOCKETED

MAR 21 2016

DOCKETED BY *[Signature]*

**PROCEDURAL ORDER**  
**(Sets Procedural Conference)**

**BY THE COMMISSION:**

On January 19, 2016, Swing First Golf (“Swing First” or “Complainant”) filed with the Arizona Corporation Commission (“Commission”) a Formal Complaint (“Complaint”) against Johnson Utilities, L.L.C (“Johnson” or “the Company”), alleging that Johnson has unilaterally decided to discontinue providing effluent to Swing First and other effluent customers. Swing First’s Complaint alleges that if Johnson discontinues its effluent service, Johnson’s actions would be unlawful and not in the public interest.

On February 2, 2016, Johnson filed an answer to the Complaint disputing the allegations in the Complaint.

On February 22, 2016, Johnson filed a Motion to Dismiss Swing First Golf’s Formal Complaint (“MTD”).

On February 25, 2016, Swing First filed a Supplement to Formal Complaint stating that Johnson had discontinued its tariffed effluent deliveries to Swing First effective February 24, 2016.

Swing First has not filed a response to the MTD and it is appropriate to require Swing First to file a response. Further, it is appropriate to schedule a procedural conference to discuss an appropriate procedural schedule in this matter and to direct the Commission’s Utilities Division (“Staff”) to

1 participate in the procedural conference.

2 IT IS THEREFORE ORDERED that a **procedural conference in this matter shall be held**  
3 **on April 6, 2016, at 10:00 a.m.** or as soon thereafter as is practicable, at the Commission's offices,  
4 1200 West Washington Street, Hearing Room No. 1, Phoenix, AZ.

5 IT IS FURTHER ORDERED that **Swing First shall file on or before April 4, 2016,** a  
6 response to Johnson's Motion to Dismiss.

7 IT IS FURTHER ORDERED that **Staff is directed to appear** for the procedural conference  
8 as set forth in this Procedural Order.

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

- 14 1. Ensure that the party has a valid and active email address to which the party has  
15 regular and reliable access ("designated email address");
- 16 2. Complete a Consent to Email Service form, available on the Commission's website  
17 ([www.azcc.gov](http://www.azcc.gov)) or a substantially similar format;
- 18 3. File the original and 13 copies of the Consent to Email Service form with the  
19 Commission's Docket Control, also providing service to each party to the service list;
- 20 4. Send an email, containing the party's name and the docket number for this matter, to  
21 [HearingDivisionServicebyEmail@azcc.gov](mailto:HearingDivisionServicebyEmail@azcc.gov) from the designated email address, to  
22 allow the Hearing Division to verify the validity of the designated email address;
- 23 5. Understand and agree that service of a document on the party shall be complete upon  
24 the sending of an email containing the document to the designated email address,  
25 regardless of whether the party receives or reads the email containing the document;  
26 and



1 Copies of the foregoing mailed/delivered  
2 this 21<sup>st</sup> day of March, 2016 to:

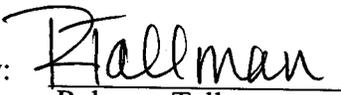
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