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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

DOUG LITTLE – Chairman
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Arizona Corporation Commission
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IN THE MATTER OF THE APPLICATION OF
LIBERTY UTILITIES (ENTRADA DEL ORO
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-04316A-16-0078

IN THE MATTER OF THE APPLICATION OF
LIBERTY UTILITIES (ENTRADA DEL ORO
SEWER) CORP., AN ARIZONA CORPORATION,
FOR AUTHORITY TO ISSUE EVIDENCE OF
INDEBTEDNESS IN AN AMOUNT NOT TO
EXCEED \$1,750,000.

DOCKET NO. SW-04316A-16-0085

PROCEDURAL ORDER
(Schedules Filing Dates)

BY THE COMMISSION:

On March 3, 2016, Liberty Utilities (Entrada Del Oro Sewer) Corp. (“Liberty EDO” or “Company”) filed with the Arizona Corporation Commission (“Commission”), in Docket No. SW-04316A-16-0078 (“Rates Docket”), 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.

On March 7, 2016, Liberty EDO filed with the Commission in Docket No. SW-04316A-16-0085 (“Finance Docket”), an application requesting authority from the Commission to issue evidence of indebtedness in a total amount not to exceed \$1,750,000.

On March 9, 2016, Liberty EDO filed Motions to Consolidate (“Motions”) in the Rates Docket and the Finance Docket. Liberty EDO states that, by consolidating both proceedings, resources would be better utilized as both dockets are “inextricably linked.” The Motions also request that new notice

1 requirements be addressed in the event consolidation is granted.

2 On March 22, 2016, by Procedural Order, the above captioned dockets were consolidated for
3 purposes of resolving the issues raised in each docket.

4 On March 23, 2016, Liberty EDO filed an Amendment to Application, revising Schedules E-4
5 and F-1 of its rate application.

6 On March 29, 2016, the Commission's Utilities Division ("Staff") issued a Letter of
7 Sufficiency, advising the Company that its rate application had met the sufficiency requirements of
8 Arizona Administrative Code ("A.A.C.") R14-2-103 and classifying the Company as a Class D utility.

9 On April 8, 2016, Staff filed a Motion for Extension of Time ("Motion"), requesting an
10 additional 45 days to file its Staff Report/Direct Testimony due to the complexity of the application.
11 Staff's Motion also requested that Liberty EDO be required to file its responsive testimony 30 days
12 later. The Motion stated the Company had no objection to the proposed schedule.

13 IT IS THEREFORE ORDERED that **Staff shall file its Staff Report/Direct Testimony in the**
14 **consolidated matter no later than July 27, 2016.**

15 IT IS FURTHER ORDERED that the **Company shall file its responsive testimony no later**
16 **than August 26, 2016.**

17 IT IS FURTHER ORDERED that the timeclock in this matter is hereby extended by forty-five
18 (45) days.

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

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

28

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 15th day of April, 2016.

5
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7 
8 SASHA PATERNOSTER
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
this 15th day of April, 2016 to:

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21 
22 By: _____
23 Amy Wilson
Assistant to Sasha Paternoster