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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

DOUG LITTLE – Chairman  
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2016 MAY 19 P 2:20

Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION  
DOCKET CONTROL

MAY 19 2016

DOCKETED BY *79*

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 LOMA  
LINDA WATER COMPANY.

DOCKET NO. W-20940A-16-0140  
DOCKET NO. W-02211A-16-0140

PROCEDURAL ORDER

BY THE COMMISSION:

On April 28, 2016, Gonzalez Utility Services, LLC (“Gonzalez” or “Company”) 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 Loma Linda Estates, Inc. d/b/a Loma Linda Water Company (“Loma Linda”).

On May 18, 2016, the Commission’s Utilities Division (“Staff”) filed a Letter of Sufficiency indicating that the application meets the sufficiency requirements outlined in the Arizona Administrative Code (“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** on the application shall commence on **August 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. 2, Phoenix, Arizona.

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

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

IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-105,

1 except that all motions to intervene must be filed on or before **July 19, 2016**.

2 IT IS FURTHER ORDERED that any objection(s) to motions to intervene shall be filed on or  
3 before July 29, 2016.

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

6 **PUBLIC NOTICE OF THE APPLICATION OF GONZALEZ UTILITY SERVICES, LLC**  
7 **FOR APPROVAL OF THE PURCHASE OF ASSETS AND TRANSFER OF CERTIFICATE**  
8 **OF CONVENIENCE AND NECESSITY FROM LOMA LINDA WATER COMPANY.**  
9 **(DOCKET NOS. W-20940A-16-0140 AND W-02211A-16-0140)**

10 On April 28, 2016, Gonzalez Utility Services, LLC (“Applicant”) filed with the Arizona  
11 Corporation Commission (“Commission”) an application for approval of the purchase  
12 of assets and the transfer of Certificate of Convenience and Necessity (“CC&N”) from  
13 Loma Linda Water Company. The application is available for public inspection during  
14 regular business hours at the offices of Gonzalez Utility Services, LLC [*Applicant to*  
15 *Insert Address*]; the Commission’s Docket Control Center at 1200 West Washington  
16 Street, Phoenix, Arizona; and on the internet via the Commission’s website  
17 ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function.

18 The Commission will hold a hearing on the application on **August 4, 2016, at 10:00**  
19 **a.m.**, at the Commission’s offices, 1200 West Washington, Hearing Room No. 2,  
20 Phoenix, Arizona. Public comments will be taken on the first day of the hearing.  
21 Written public comments may be submitted electronically by accessing the  
22 Commission’s website ([www.azcc.gov](http://www.azcc.gov)) and clicking on the “Submit a Public  
23 Comment” button or by mailing a letter referencing Docket Nos. W-20940A-16-0140  
24 and W-02211A-16-0140 to: Arizona Corporation Commission, Consumer Services  
25 Section, 1200 West Washington Street, Phoenix, AZ 85007.

26 The law provides for an open public hearing at which, under appropriate circumstances,  
27 interested parties may intervene. Any person or entity entitled by law to intervene and  
28 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:

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

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

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

18 IT IS FURTHER ORDERED that Gonzalez Utility Services, LLC shall **mail a copy of the**  
19 **above notice to each customer** in the certificated area **and** shall cause the above **notice to be**  
20 **published at least once in a newspaper of general circulation** in the service territory, with mailing  
21 and publication to be completed no later than **June 29, 2016**.

22 IT IS FURTHER ORDERED that Gonzalez Utility Services, LLC shall **file certification of**  
23 **mailing and publication** as soon as practicable after the mailing and publication have been completed,  
24 but no later than **July 27, 2016**.

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

27 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
28 31, 38, 42 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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

IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance  
with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona  
Supreme Court Rule 42). Representation before the Commission includes appearances at all hearings  
and procedural conferences, as well as all Open Meetings for which the matter is scheduled for

1 discussion unless counsel has previously been granted permission to withdraw by the Administrative  
2 Law Judge or the Commission.

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

6 DATED this 19<sup>th</sup> day of May, 2016.



7  
8  
9 SCOTT M. HESLA  
ADMINISTRATIVE LAW JUDGE

10  
11 Copies of the foregoing mailed, emailed, or hand-delivered  
12 this 19<sup>th</sup> day of May, 2016 to:

13 Carol Gonzalez  
14 Gonzalez Utility Services, LLC  
15 P.O. Box 86205  
Phoenix, Arizona 85080

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

16 Bevan Barney  
17 Loma Linda Water Company  
18 P.O. Box 825  
Thatcher, Arizona 85552

COASH & COASH  
COURT REPORTING, VIDEO AND  
VIDEOCONFERENCING  
1802 North 7<sup>th</sup> Street  
Phoenix, AZ 85006

19 Janice Alward, Chief Counsel  
20 Legal Division  
ARIZONA CORPORATION COMMISSION  
21 1200 W. Washington Street  
Phoenix, AZ 85007

22  
23 By:   
24 Amy Wilson  
Assistant to Scott M. Hesla