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BEFORE THE ARIZONA CORPORATION C

COMMISSIONERS

Arizona Corporation Commission

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IN THE MATTER OF THE APPLICATION OF
LIBERTY UTILITIES (BELLA VISTA WATER)
CORP., AN ARIZONA CORPORATION, FOR A
DETERMINATION OF THE FAIR VALUE OF
ITS UTILITY PLANTS AND PROPERTY AND
INCREASES IN ITS WATER AND
WASTEWATER RATES AND CHARGES FOR
UTILITY SERVICE BASED THEREON.

DOCKET NO. W-02465A-15-0367

IN THE MATTER OF THE APPLICATION OF
LIBERTY UTILITIES (RIO RICO WATER &
SEWER) CORP., AN ARIZONA
CORPORATION, FOR A DETERMINATION OF
THE FAIR VALUE OF ITS UTILITY PLANTS
AND PROPERTY AND INCREASES IN ITS
WATER AND WASTEWATER RATES AND
CHARGES FOR UTILITY SERVICE BASED
THEREON.

DOCKET NO. WS-02676A-15-0368

IN THE MATTER OF THE APPLICATION OF
LIBERTY UTILITIES (BELLA VISTA WATER)
CORP., AN ARIZONA CORPORATION, FOR
AUTHORITY TO ISSUE EVIDENCE OF
INDEBTEDNESS IN THE AMOUNT NOT TO
EXCEED \$4,700,000.

DOCKET NO. W-02465A-15-0370

IN THE MATTER OF THE APPLICATION OF
LIBERTY UTILITIES (RIO RICO WATER AND
SEWER) CORP., AN ARIZONA
CORPORATION, FOR AUTHORITY TO ISSUE
EVIDENCE OF INDEBTEDNESS IN THE
AMOUNT NOT TO EXCEED \$8,900,000.

DOCKET NO. WS-02676A-15-0371

**JOINT MOTION TO REVISE VARIOUS FILING DEADLINES AND RESET THE
PROCEDURAL SCHEDULE AS OTHERWISE NECESSARY**

INTRODUCTION AND BACKGROUND

On October 28, 2015, Liberty Utilities (Bella Vista Water) Corp. ("Liberty Bella Vista") filed
with the Arizona Corporation Commission ("Commission") in Docket No. W-02465A-15-0367 an

1 application requesting that the Commission establish the fair value of its plant and property used for
2 the provision of public utility water service, and based upon such finding, approve permanent rates
3 and charges for utility service designed to produce a fair return thereon.

4 On November 2, 2015, Liberty Bella Vista filed with the Commission, in Docket No. W-
5 02465A-15-0370, an application requesting authority from the Commission to issue evidence of
6 indebtedness in a total amount not to exceed \$4,700,000.

7 On October 28, 2015, Liberty Utilities (Rio Rico Water & Sewer) Corp. (“Liberty Rio Rico”)
8 filed with the Commission in Docket No. W-02465A-15-0367 an application requesting that the
9 Commission establish the fair value of its plant and property used for the provision of public water
10 and wastewater utility service and, based on such finding, approve permanent rates and charges for
11 utility service designed to produce a fair return thereon.

12 On November 2, 2015, Liberty Rio Rico Water filed with the Commission, in Docket No. W-
13 02676A-15-0371, an application requesting authority from the Commission to issue evidence of
14 indebtedness in a total amount not to exceed \$8,900,000.

15 On November 3, 2015, both Liberty Bella Vista and Liberty Rio Rico filed Motions to
16 Consolidate in both Rate Dockets and both Finance Dockets. (References to “Liberty” or
17 “Company” shall refer to both Liberty Bella Vista and Liberty Rio Rico.)

18 On November 12, 2015, Liberty Bella Vista and Liberty Rio Rico both filed Amendments to
19 their Applications and, on November 23, 2015, filed Second Amendments to their Rate Applications.

20 On December 24, 2016, by procedural order, Docket Nos. W-02465A-15-0367, W-02465A-
21 15-0370, 27 WS-02676A-15-0368, and WS-02676A-15-0371 were consolidated.

22 The December 24, 2015, Procedural Order (the “Procedural Order”) also scheduled an
23 evidentiary hearing for July 25, 2016, and established various other procedural and filing deadlines,
24 including the dates for submitting pre-filed testimony. Direct testimony on issues other than rate
25 design was to be filed testimony by the Commission’s Utilities Division (“Staff”) and intervenors on
26 or before May 23, 2016; direct testimony on rate design issues was to be filed by Staff and
27 intervenors on or before May 31, 2016; rebuttal testimony was to be filed by Liberty on or before

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1 June 20, 2016; and surrebuttal testimony is to be filed by Staff or intervenors on or before July 8,
2 2016.

3 Pursuant to the Procedural Order, Liberty filed its rebuttal testimony on June 20, 2016.

4 Staff, Liberty, the Residential Utility Consumer Office (“RUCO”) and the Western
5 Infrastructure Sustainability Effort (“WISE”) have conferred concerning certain proposed changes to
6 the current schedule, referred to above, for filling the remainder of the testimony, the prehearing
7 conference, and the hearing date. Given that Santa Cruz Valley Unified School District #35 has
8 sought to withdraw, it has not been included in these discussions. Staff, Liberty, RUCO and WISE
9 are now respectfully requesting that the administrative law judge, at the earliest possible time, enter
10 an order that approves the following changes in the procedural schedule and the hearing dates:

- 11 1. Extend the date for Staff, RUCO, and WISE to file their surrebuttal testimony from
12 Friday, July 8, 2016 to Friday, July 22, 2016, no later than 12:00 pm.
- 13 2. Extend the date for Liberty to file its rejoinder testimony from Monday, July 18, 2016
14 to Wednesday, July 27, 2016.
- 15 3. Extend the date for the Friday July 22, 2016 prehearing conference to Friday, July 29,
16 2016.
- 17 4. Extend, from Friday July 22, 2016 to Friday July 29, 2016, the date for any party to
18 file or make any objections to any prefiled testimony or exhibits.
- 19 5. Extend, from Monday July 25, 2016 to Monday, August 1, 2016, the date for the
20 commencement of hearings in this consolidated docket, while keeping Monday July
21 25, 2016 as the date on which public comment will be taken.
- 22 6. All parties will submit work papers at the same time as their filing of testimony.

23 The parties also request that the administrative law judge make such other adjustments to the
24 current procedural schedule as deemed necessary to accommodate the revisions to the schedule that
25 the parties are requesting herein. No extension of the time clock is necessary or being sought herein.

26 The parties further believe, and therefore submit that the changes to the procedural schedule
27 that they are requesting:

28 ...

- 1 1. Will enable them to more completely and adequately present their cases in this matter
2 than would be possible under the current procedural schedule.
3 2. That the approval of their request will not result in any harm to the public interest.

4 **CONCLUSION**

5 For the foregoing reasons, Staff, Liberty, RUCO and WISE respectfully request that the
6 administrative law judge approve their request for the changes to the current procedural schedule set
7 forth above.

8 In addition, because the current deadline for Staff and Intervenors to file their surrebuttal
9 testimony is Friday, July 8, 2016 and because time is of the essence, an expedited ruling would be
10 helpful.

11 Staff further advises the presiding administrative law judge that counsel for Liberty, RUCO
12 and WISE have either signed this request and/or authorized Staff to sign on behalf of said counsel.

13 RESPECTFULLY SUBMITTED this 6th day of July, 2016.

14 **ARIZONA CORPORATION COMMISSION**

**RESIDENTIAL UTILITY CONSUMER
OFFICE**

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1 ORIGINAL and thirteen (13) copies of the
2 foregoing filed this 6th day of July, 2016, with:

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