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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission

REC-20
AZ CORP COMMISSION
DOCKET CONTROL

SEP 16 2016

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DOCKETED BY
[Signature]

IN THE MATTER OF THE APPLICATION OF
LIBERTY UTILITIES (ENTRADA DEL ORO
SEWER COMPANY) 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 COMPANY), 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

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 stated that, by consolidating both proceedings, resources would be better utilized as both dockets are “inextricably linked.”

On March 22, 2016, by Procedural Order, the above captioned dockets were consolidated for

1 purposes of resolving the issues raised in each docket.

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

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

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

11 On April 15, 2016, by Procedural Order, Staff's Motion for an Extension of Time to file its
12 Staff Report/Direct Testimony was granted. The Procedural Order directed Staff to docket the Staff
13 Report/Direct Testimony on July 27, 2016, and Liberty EDO to docket its responsive testimony on
14 August 26, 2016.

15 On June 14, 2016, Liberty EDO filed a Notice of Filing Proof of Mailing of the Company's
16 financing application.

17 On July 26, 2016, Staff filed a Request for an Extension of Time to File Staff Report, requesting
18 an extension of the time deadline from July 27, 2016 to August 10, 2016, and requesting an extension
19 of time for the Company to file its responsive testimony from August 26, 2016 to September 9, 2016,
20 which was granted by a Procedural Order dated July 26, 2016.

21 On August 9, 2016, the Company filed an Agreement to Further Extension of Time for Staff to
22 File Staff Report/Direct Testimony until August 19, 2016.

23 On August 11, 2016, by Procedural Order, Staff was granted a one week extension of time to
24 file its direct testimony from August 10, 2016 to August 19, 2016. Liberty EDO's rebuttal testimony
25 deadline was also extended from September 9, 2016 to September 19, 2016.

26 On August 19, 2016, Staff filed its Notice of Filing Staff's Direct Testimony.

27 On August 23, 2016, Staff filed a Notice of Errata.

28 On August 24, 2016, Liberty EDO filed Notice of Settlement Discussions.

1 On September 13, 2016, Liberty EDO filed a Motion for Extension of Time to File Rebuttal
2 Testimony; Request for Hearing Date, in which the Company requests an extension of the deadline to
3 file rebuttal testimony from September 19, 2016 to September 26, 2016. The filing indicates that Staff
4 has no objection to the Company's requested extension. The filing further requests a hearing to be
5 scheduled as soon as possible due to "significant issues" that remain in dispute. There is no indication
6 in the filing that Staff was consulted regarding the request for a hearing or hearing dates. However,
7 given that the rebuttal testimony deadline is impending, it is appropriate to grant the Company's request
8 for an extension of time and address the request for a hearing date at a later date once Staff has had an
9 opportunity to respond.

10 A number of public comments in opposition to the Company's rate application have been
11 submitted by customers during the pendency of this docket.

12 IT IS THEREFORE ORDERED that **Liberty EDO's request for an extension of time, from**
13 **September 19, 2016 to September 26, 2016, to file rebuttal testimony and associated exhibits is**
14 hereby granted.

15 IT IS FURTHER ORDERED that each party or prospective party shall **refer to the Procedural**
16 **Order Regarding Consent to Email Service** issued in this matter on **March 22, 2016**, for additional
17 information regarding the process to consent to service by email. Information regarding Consent to
18 Email Service is also available on the Commission's website (www.azcc.gov) by clicking on "Email
19 Service Consent."

20 IT IS FURTHER ORDERED that the Commission's **Utilities Division is deemed to have**
21 **consented to email service for this docket using the following email address/es:**
22 **JAlward@azcc.gov and TBroderick@azcc.gov.**

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24 ...

25 ...

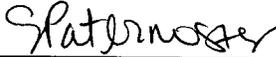
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1 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or
2 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
3 hearing.

4 DATED this 16th day of September, 2016

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8 SASHA PATERNOSTER
9 ADMINISTRATIVE LAW JUDGE
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1 On this 16th day of September, 2016, the foregoing document was filed with Docket Control as a
2 Procedural Order – Grants an Extension of Time, and copies of the foregoing were mailed on behalf of
3 the Hearing Division to the following who have not consented to email service. On this date or as soon
4 as possible thereafter, the Commission’s eDocket program will automatically email a link to the
5 foregoing to the following who have consented to email service.

4 Jay L. Shapiro
5 SHAPIRO LAW FIRM, P.C.
6 1819 E. Morten Avenue, Suite 280
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8 Attorney for Liberty Utilities

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15 JAlward@azcc.gov
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17 **Consented to Service by Email**

14
15 By: 
16 Rebecca Tallman
17 Assistant to Sasha Paternoster