

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL

2016 NOV 15 A 10: 52

COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

NOV 15 2016

JEFF STAPP,

DOCKET NO. W-01539A-16-0353

Complainant,

DOCKETED BY

vs.

ROSE VALLEY WATER COMPANY, INC.,

PROCEDURAL ORDER
(Reschedules Procedural Conference)

Respondent.

BY THE COMMISSION:

On October 3, 2016, Jeff Stapp filed with the Arizona Corporation Commission (“Commission”) a Formal Complaint against Rose Valley Water Company, Inc. (“Rose Valley”).

On October 5, 2016, a Procedural Order was issued regarding consent to email service.

On October 27, 2016, Rose Valley filed its Response to Formal Complaint.

On November 1, 2016, a Procedural Order was issued scheduling a procedural conference for November 21, 2016.

On November 10, 2016, Rose Valley filed a request to continue the procedural conference scheduled for November 21, 2016, to accommodate holiday travels (“Request”). Rose Valley further requests to attend the procedural conference telephonically. There is no indication that Mr. Stapp was provided a copy of Rose Valley’s Request.

Because the procedural conference is currently scheduled less than a week away, and good cause appearing, it is reasonable to grant Rose Valley’s Request at this time even though there is no indication Mr. Stapp received a copy and was afforded an opportunity to respond. The parties are directed to comply with the service requirements of A.A.C. R14-3-107 for all future filings in this matter.

1 IT IS THEREFORE ORDERED the **procedural conference scheduled to be held on**
2 **November 21, 2016, is vacated.**

3 IT IS FURTHER ORDERED a **procedural conference in this matter shall be scheduled for**
4 **December 7, 2016, at 10:00 a.m.** or as soon thereafter as is practicable, at the Commission's offices,
5 1200 West Washington Street, Hearing Room No. 1, Phoenix, AZ.

6 IT IS FURTHER ORDERED the parties should be prepared to discuss a procedural schedule
7 to be followed in this matter.

8 IT IS FURTHER ORDERED Rose Valley Water Company, Inc. is authorized to appear
9 telephonically for the December 7, 2016, procedural conference.

10 IT IS FURTHER ORDERED Rose Valley Water Company, Inc. shall be available by telephone
11 at the appropriate time during the procedural conference on December 7, 2016. Using a landline,¹ Rose
12 Valley Water Company, Inc. shall call **1 (800) 689-9374, passcode 415962#**.

13 IT IS FURTHER ORDERED each party shall comply with the service requirements of A.A.C.
14 R14-3-107 for all future filings in this matter.

15 IT IS FURTHER ORDERED each party or prospective party shall **refer to the Procedural**
16 **Order Regarding Consent to Email Service** issued in this matter on **October 5, 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 withdrawal of representation must be made in compliance
21 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
22 Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at
23 all hearings, procedural conferences, and Open Meetings for which the matter is scheduled for
24 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
25 Law Judge or the Commission.

26 IT IS FURTHER ORDERED all parties must comply with Arizona Supreme Court Rules 31
27

28

¹ Mobile telephones do not provide adequate audio quality to permit the verbatim transcription of witness testimony.

1 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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

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

8 DATED this 15 day of November, 2016.

9
10 

11 BRIAN D. SCHNEIDER
12 ADMINISTRATIVE LAW JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

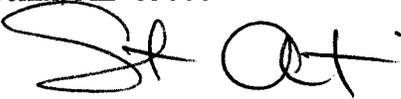
1 On this 15th day of November, 2016, the foregoing document was filed with Docket Control as a
2 Procedural Order Rescheduling a Procedural Conference, and copies of the foregoing were mailed on
3 behalf of the Hearing Division to the following who have not consented to email service. On this date
or as soon as possible thereafter, the Commission's eDocket program will automatically email a link
to the foregoing to the following who have consented to email service.

4 Gary Basher
5 Rose Valley Water Company, Inc.
6 PO Box 1444
7 Green Valley, AZ 85622

8 Jeff Stapp
9 20371 N. 89th Drive
10 Peoria, AZ 85382

11 Janet Wagner, Interim Chief Counsel
12 Legal Division
13 ARIZONA CORPORATION COMMISSION
14 1200 West Washington Street
15 Phoenix, AZ 85007
16 Attorneys for Utilities Division
17 JWagner@azcc.gov
18 JXHatch-Miller@azcc.gov
19 **Consented to Service by Email**

20 COASH & COASH, INC.
21 Court Reporting, Video and Videoconferencing
22 1802 North 7th Street
23 Phoenix, AZ 85006

24 By: 
25 Staci Antrim
26 Assistant to Brian D. Schneider
27
28