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BEFORE THE ARIZONA CORPORATION COMMISSION

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

COMMISSIONERS

TOM FORESE – Chairman  
BOB BURNS  
DOUG LITTLE  
ANDY TOBIN  
BOYD W. DUNN

2017 APR 25 P 2: 34

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APR 25 2017

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
LIBERTY UTILITIES (LITCHFIELD PARK  
WATER & 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-01428A-17-0058

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

DOCKET NO. W-01427A-17-0059

IN THE MATTER OF THE APPLICATION OF  
LIBERTY UTILITIES (LITCHFIELD PARK  
WATER & SEWER) CORP., AN ARIZONA  
CORPORATION, FOR AUTHORITY TO (1) ISSUE  
EVIDENCE OF INDEBTEDNESS IN AN AMOUNT  
NOT TO EXCEED \$30,000,000; AND (2)  
ENCUMBER ITS REAL PROPERTY AND PLANT  
AS SECURITY FOR SUCH INDEBTEDNESS.

DOCKET NO. W-01427A-17-0077

IN THE MATTER OF THE APPLICATION OF  
LIBERTY UTILITIES (LITCHFIELD PARK  
WATER & SEWER) CORP., AN ARIZONA  
CORPORATION, FOR AUTHORITY TO (1) ISSUE  
EVIDENCE OF INDEBTEDNESS IN AN AMOUNT  
NOT TO EXCEED \$30,000,000; AND (2)  
ENCUMBER ITS REAL PROPERTY AND PLANT  
AS SECURITY FOR SUCH INDEBTEDNESS.

DOCKET NO. SW-01428A-17-0078

**PROCEDURAL ORDER**  
**(Amended Rate Case Procedural  
Order)**

**BY THE COMMISSION:**

On February 28, 2017, Liberty Utilities (Litchfield Park Water & Sewer) Corp. (“Liberty Litchfield Park” or “Company”) filed with the Arizona Corporation Commission (“Commission”), in Docket No. SW-01428A-17-0058, an application requesting that the Commission establish the fair

1 value of its plant and property used for the provision of public wastewater utility service and, based on  
2 such finding, approve permanent rates and charges for utility service designed to produce a fair return  
3 thereon (“Wastewater Rate Docket”).

4 On that same date, Liberty Litchfield Park filed with the Commission, in Docket No. W-  
5 01427A-17-0059, an application requesting that the Commission establish the fair value of its plant  
6 and property used for the provision of public water utility service and, based on such finding, approve  
7 permanent rates and charges for utility service designed to produce a fair return thereon (“Water Rate  
8 Docket”).

9 On March 17, 2017, Liberty Litchfield Park filed with the Commission, in Docket No. W-  
10 01427A-17-0077, an application requesting authority from the Commission to issue evidence of  
11 indebtedness in a total amount not to exceed \$30,000,000 (“Water Finance Docket”).

12 On that same date, Liberty Litchfield Park filed with the Commission, in Docket No. SW-  
13 01428A-17-0078, an application requesting authority from the Commission to issue evidence of  
14 indebtedness in a total amount not to exceed \$30,000,000 (“Wastewater Finance Docket”).

15 On March 20, 2017, Liberty Litchfield Park filed Motions to Consolidate in both Rate Dockets  
16 and both Finance Dockets. The Company stated that by consolidating all four proceedings, resources  
17 would be better utilized as the dockets are “inextricably linked.”

18 On that same date, Residential Utility Consumer Office (“RUCO”) filed an Application to  
19 Intervene. No opposition to RUCO’s intervention request was received.

20 On March 23, 2017, a Procedural Order was issued regarding consent to email.

21 On March 29, 2017, the Commission’s Utilities Division (“Staff”) issued a Letter of Sufficiency  
22 stating that Liberty Litchfield Park’s application had met the sufficiency requirements of Arizona  
23 Administrative Code (“A.A.C.”) R14-2-103 and that the Company had been classified as a Class A  
24 utility.

25 On March 31, 2017, a Procedural Order was issued consolidating the above referenced dockets  
26 and granting RUCO’s intervention.

27 On April 13, 2017, by Procedural Order, a hearing was scheduled to commence on January 8,  
28 2018, and established procedural deadlines.

1 On April 19, 2017, Liberty Litchfield Park filed a Joint Stipulation to Revise Procedural  
2 Schedule, citing to A.A.C. R14-2-103(B)(11) regarding procedural deadlines.<sup>1</sup> Liberty Litchfield Park  
3 indicated that all the Parties agreed to the proposed revised schedule.

4 Accordingly, the Parties' proposed procedural schedule is reasonable and should be granted.

5 IT IS THEREFORE ORDERED that the procedural schedule set forth in the April 13, 2017  
6 Procedural Order is hereby vacated.

7 IT IS FURTHER ORDERED that the **hearing in this matter is rescheduled to commence on**  
8 **December 4, 2017, at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street,  
9 **Hearing Room No. 1**, Phoenix, Arizona 85007.

10 IT IS FURTHER ORDERED that the parties shall also reserve December 5-8, 2017, for  
11 additional days of hearing, as necessary.

12 IT IS FURTHER ORDERED that a **pre-hearing conference shall be held on December 1,**  
13 **2017, at 10:00 a.m.**, at the Commission's offices.

14 IT IS FURTHER ORDERED that the **Staff Report/direct testimony and associated exhibits**  
15 **on issues other than rate design** to be presented at hearing by **Staff and/or Intervenors** shall be  
16 reduced to writing and filed on or before **September 29, 2017**.

17 IT IS FURTHER ORDERED that **direct testimony by Staff and intervenors on rate design**  
18 **issues** shall be filed on or before **October 6, 2017**.

19 IT IS FURTHER ORDERED that the **rebuttal testimony and associated exhibits** to be  
20 presented at hearing by **Liberty Litchfield Park** shall be reduced to writing and filed on or before  
21 **October 27, 2017**.

22 IT IS FURTHER ORDERED that the **surrebuttal testimony and associated exhibits** to be  
23 presented at hearing by **Staff and/or intervenors** shall be reduced to writing and filed on or before  
24 **November 17, 2017**.

25 IT IS FURTHER ORDERED that the **rejoinder testimony and associated exhibits** to be  
26 presented at hearing by **Liberty Litchfield Park** shall be reduced to writing and filed on or before

27 <sup>1</sup> A.A.C. R14-2-103(B)(11) reads as follows: **Unless otherwise ordered by the Commission**, the staff shall file its Staff  
28 Report and/or testimony within the following number of days from the date that a filing is accepted pursuant to subsection  
(B)(7): i. For Class A utilities, within 180 days.

1 **November 30, 2017.**

2 IT IS FURTHER ORDERED that **all testimony** filed shall include a **table of contents** listing  
3 the issues discussed.

4 IT IS FURTHER ORDERED that **all filings shall be made by 4:00 p.m.** on the date the filing  
5 is due, unless otherwise indicated.

6 IT IS FURTHER ORDERED that **the parties shall prepare, jointly or individually, and**  
7 **bring to the pre-hearing conference, copies of an issues matrix/matrices** setting forth all disputed  
8 issues in the case, the position of each party on each disputed issue, whether the disputed issue remains  
9 in dispute or has been resolved, and the manner in which it was resolved.

10 IT IS FURTHER ORDERED that **any objections to prefiled testimony or exhibits shall be**  
11 **made before or at the December 1, 2017,** pre-hearing conference.

12 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-105,  
13 except that all motions to intervene must be filed on or before **July 14, 2017.**

14 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and  
15 regulations of the Commission, except that until **November 3, 2017,** any objection to discovery  
16 requests shall be made within 7 calendar days of receipt<sup>2</sup> and responses to discovery requests shall be  
17 made within 10 calendar days of receipt. Thereafter, objections to discovery requests shall be made  
18 within 5 calendar days and responses shall be made within 7 calendar days. The response time may be  
19 extended by mutual agreement of the parties involved if the request requires an extensive compilation  
20 effort.

21 IT IS FURTHER ORDERED that for discovery requests, objections, and answers, if a receiving  
22 party requests service to be made electronically, and the sending party has the technical capability to  
23 provide service electronically, service to that party shall be made electronically.

24 IT IS FURTHER ORDERED that, in the alternative to filing a written motion to compel  
25 discovery, any party seeking resolution of a discovery dispute may telephonically contact the  
26 Commission's Hearing Division to request a date for a procedural hearing to resolve the discovery

27 \_\_\_\_\_

28 <sup>2</sup> The date of receipt of discovery requests is not counted as a calendar day, and requests received after 4:00 p.m. Arizona time will be considered as received the next business day.

1 dispute; that upon such a request, a procedural hearing will be convened as soon as practicable; and  
2 that the party making such a request shall forthwith contact all other parties to advise them of the  
3 hearing date and shall at the hearing provide a statement confirming that the other parties were  
4 contacted.<sup>3</sup>

5 IT IS FURTHER ORDERED that any **substantive corrections, revisions, or supplements to**  
6 **prefiled testimony**, with the exception of rejoinder testimony, shall be reduced to writing and filed no  
7 later than five calendar days before the witness is scheduled to testify.

8 IT IS FURTHER ORDERED that any motion filed in this matter, other than a motion to  
9 intervene, that is not ruled upon by the Commission within 20 calendar days of the filing date of the  
10 motion shall be deemed denied.

11 IT IS FURTHER ORDERED that any response to a motion, other than a motion to intervene,  
12 shall be filed within five calendar days of the filing date of the motion.

13 IT IS FURTHER ORDERED that any reply related to a motion shall be filed within five  
14 calendar days of the filing date of the response to the motion.

15 IT IS FURTHER ORDERED that **Liberty Litchfield Park shall, by June 9, 2017, send** a copy  
16 of the following notices to each of its current Water and Wastewater customers by First Class U.S. mail  
17 and have the above notice **published** in a newspaper of general circulation in its service territory.

18 IT IS FURTHER ORDERED that for its **Wastewater** customers, **Liberty Litchfield Park**  
19 **shall provide public notice** of the hearing in this matter, in the following form and style, with the  
20 heading in no less than 12-point bold type and the body in no less than 10-point regular type:

21 **PUBLIC NOTICE OF HEARING ON THE**  
22 **APPLICATIONS OF LIBERTY UTILITIES**  
23 **(LITCHFIELD PARK WATER & SEWER) CORP.**  
**FOR A RATE INCREASE AND FOR APPROVAL TO INCUR DEBT**  
**(DOCKET NOS. SW-01428A-17-0058 AND SW-01428A-17-0078).**

24 **Summary**

25 On February 28, 2017, Liberty Utilities (Litchfield Park Water & Sewer) Corp.  
26 (“Liberty Litchfield Park”) filed with the Arizona Corporation Commission  
27 (“Commission”), in Docket No. SW-01428A-17-0058, an application requesting that  
the Commission establish the fair value of its plant and property used for the provision

28 <sup>3</sup> The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations before seeking Commission resolution of the controversy.



1 of public wastewater utility service for Liberty Litchfield Park and, based on such  
 2 finding, approve permanent rates and charges for utility service designed to produce a  
 3 fair return thereon. On March 17, 2017, Liberty Litchfield Park filed with the  
 4 Commission, in Docket No. SW-01428A-17-0078, an application requesting authority  
 5 from the Commission to issue evidence of indebtedness for Liberty Litchfield Park in a  
 6 total amount not to exceed \$30,000,000.

7 Liberty Litchfield Park requests authorization to increase its wastewater rates to  
 8 generate total revenues of \$15,130,755. This would constitute an increase in revenues  
 9 by \$3,496,801, or 30.06 percent over test year revenues of \$11,633,954. For information  
 10 about how Liberty Litchfield Park's revenue increase would affect your individual bill,  
 11 you may contact Liberty Litchfield Park at [LIBERTY LITCHFIELD PARK  
 12 INSERT APPROPRIATE CONTACT INFORMATION HERE].

13 The Commission's Utilities Division ("Staff") is in the process of auditing and  
 14 analyzing the applications, and has not yet made any recommendations regarding  
 15 Liberty Litchfield Park's proposed rate increase or financing application. The  
 16 Commission will determine the appropriate relief to be granted based on the evidence  
 17 of record in the proceeding. **THE COMMISSION IS NOT BOUND BY THE  
 18 PROPOSALS MADE BY LIBERTY LITCHFIELD PARK, STAFF, OR ANY  
 19 INTERVENORS; THEREFORE, THE FINAL RATES APPROVED BY THE  
 20 COMMISSION MAY DIFFER FROM AND MAY BE HIGHER OR LOWER  
 21 THAN THE RATES REQUESTED BY LIBERTY LITCHFIELD PARK OR  
 22 RECOMMENDED BY OTHER PARTIES.**

#### 23 **How You Can View or Obtain a Copy of the Rate Proposal**

24 Copies of the application and proposed rates are available from Liberty Litchfield Park  
 25 [LIBERTY LITCHFIELD PARK INSERT HOW AND WHERE AVAILABLE]  
 26 and at the Commission's Docket Control Center at 1200 West Washington Street,  
 27 Phoenix, Arizona, for public inspection during regular business hours, and on the  
 28 Internet via the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function.

#### 29 **Arizona Corporation Commission Public Hearing Information**

30 The Commission will hold a hearing on these matters beginning **December 4, 2017, at  
 31 10:00 a.m.**, at the Commission's offices Hearing Room No. 1, 1200 West Washington  
 32 Street, Phoenix, Arizona 85007. Public comments will be taken on the first day of  
 33 hearing.

34 Written public comments may be submitted by mailing a letter referencing Docket Nos.  
 35 SW-01428A-17-0058/SW-01428A-17-0078 to Arizona Corporation Commission,  
 36 Consumer Services Section, 1200 West Washington Street, Phoenix, AZ 85007, or by  
 37 submitting comments on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Submit  
 38 a Public Comment" function. If you require assistance, you may contact the Consumer  
 39 Services Section at 602-542-4251 or 1-800-222-7000.

#### 40 **About Intervention**

41 The law provides for an open public hearing at which, under appropriate circumstances,  
 42 interested persons may intervene. An interested person may be granted intervention if  
 43 the outcome of the case will directly and substantially impact the person, and the  
 44 person's intervention will not unduly broaden the issues in the case. Intervention,  
 45 among other things, entitles a party to present sworn evidence at hearing and to cross-  
 46 examine other parties' witnesses. However, failure to intervene will not preclude any

1 interested person or entity from appearing at the hearing and providing public comment  
2 on the application or from filing written comments in the record of the case.

3 To request intervention, you must file **an original and 13 hard copies** of a written  
4 request to intervene with Docket Control, 1200 West Washington Street, Phoenix, AZ  
5 85007, **no later than July 14, 2017**. You also **must** serve a copy of the request to intervene  
6 with the Commission. Information about intervention and sample intervention requests  
7 are available on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Intervention in  
8 Utility Cases" link.

9 Your request to intervene must contain the following:

- 10 1. Your name, address, and telephone number and the name, address, and  
11 telephone number of any person upon whom service of documents is to be  
12 made, if not yourself;
- 13 2. A reference to **Docket Nos. SW-01428A-17-0058 and SW-01428A-17-0078**;
- 14 3. A short statement of your interest in the proceeding (e.g., a customer or  
15 potential customer of Liberty Litchfield Park, a member or shareholder of  
16 Liberty Litchfield Park, etc.) and how you will be directly and substantially  
17 affected by the outcome of the case, and why your intervention will not unduly  
18 broaden the issues in the case;
- 19 4. A statement certifying that a copy of the motion to intervene has been mailed  
20 to Liberty Litchfield Park or its counsel and to all parties of record in the case;  
21 and
- 22 5. If you are not represented by an attorney who is an active member of the Arizona  
23 State Bar, and is not an individual representing himself or herself, information  
24 and any appropriate documentation demonstrating compliance with Arizona  
25 Supreme Court Rules 31, 38, and 42, as applicable.

26 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
27 that all motions to intervene must be filed on or before July 14, 2017. If representation  
28 by counsel is required by Arizona Supreme Court Rule 31, intervention will be  
conditioned upon the intervenor obtaining counsel to represent the intervenor.

**ADA/Equal Access Information**

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

IT IS FURTHER ORDERED that for its **Water** customers, **Liberty Litchfield Park shall**  
**provide public notice** of the hearing in this matter, in the following form and style, with the heading  
in no less than 12-point bold type and the body in no less than 10-point regular type:

...

**PUBLIC NOTICE OF HEARING ON THE  
APPLICATIONS OF LIBERTY UTILITIES  
(LITCHFIELD PARK WATER & SEWER) CORP.  
FOR A RATE INCREASE AND FOR APPROVAL TO INCUR DEBT  
(DOCKET NOS. W-01427A-17-0059 AND W-01427A-17-0077).**

**Summary**

On February 28, 2017, Liberty Utilities (Litchfield Park Water & Sewer) Corp. ("Liberty Litchfield Park") filed with the Arizona Corporation Commission ("Commission"), in Docket No. W-01427A-17-0059, an application requesting that the Commission establish the fair value of its plant and property used for the provision of public water utility service for Liberty Litchfield Park customers and, based on such finding, approve permanent rates and charges for utility service designed to produce a fair return thereon. On March 17, 2017, Liberty Litchfield Park filed with the Commission, in Docket No. W-01427A-17-0077, an application requesting authority from the Commission to issue evidence of indebtedness for Liberty Litchfield Park customers in a total amount not to exceed \$30,000,000.

Liberty Litchfield Park requests authorization to increase its water rates to generate total revenues of \$15,044,724. This would constitute an increase in revenues by \$1,533,896, or 11.35 percent over test year revenues of \$13,510,828. For information about how Liberty Litchfield Park revenue increase would affect your individual bill, you may contact Liberty Litchfield Park at [**LIBERTY LITCHFIELD PARK INSERT APPROPRIATE CONTACT INFORMATION HERE**].

The Commission's Utilities Division ("Staff") is in the process of auditing and analyzing the applications, and has not yet made any recommendations regarding Liberty Litchfield Park's proposed rate increase or financing application. The Commission will determine the appropriate relief to be granted based on the evidence of record in the proceeding. **THE COMMISSION IS NOT BOUND BY THE PROPOSALS MADE BY LIBERTY LITCHFIELD PARK, STAFF, OR ANY INTERVENORS; THEREFORE, THE FINAL RATES APPROVED BY THE COMMISSION MAY DIFFER FROM AND MAY BE HIGHER OR LOWER THAN THE RATES REQUESTED BY LIBERTY LITCHFIELD PARK OR RECOMMENDED BY OTHER PARTIES.**

**How You Can View or Obtain a Copy of the Rate Proposal**

Copies of the application and proposed rates are available from Liberty Litchfield Park [**LIBERTY LITCHFIELD PARK INSERT HOW AND WHERE AVAILABLE**] and at the Commission's Docket Control Center at 1200 West Washington Street, Phoenix, Arizona, for public inspection during regular business hours, and on the Internet via the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function.

**Arizona Corporation Commission Public Hearing Information**

The Commission will hold a hearing on these matters beginning **December 4, 2017, at 10:00 a.m.**, at the Commission's offices Hearing Room No. 1, 1200 West Washington Street, Phoenix, Arizona 85007. Public comments will be taken on the first day of hearing.

Written public comments may be submitted by mailing a letter referencing Docket Nos. W-01427A-17-0059 and W-01427A-17-0077 to Arizona Corporation Commission,



1 Consumer Services Section, 1200 West Washington Street, Phoenix, AZ 85007, or by  
 2 submitting comments on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Submit  
 a Public Comment" function. If you require assistance, you may contact the Consumer  
 Services Section at 602-542-4251 or 1-800-222-7000.

### 3 About Intervention

4 The law provides for an open public hearing at which, under appropriate circumstances,  
 5 interested persons may intervene. An interested person may be granted intervention if  
 6 the outcome of the case will directly and substantially impact the person, and the  
 7 person's intervention will not unduly broaden the issues in the case. Intervention,  
 among other things, entitles a party to present sworn evidence at hearing and to cross-  
 examine other parties' witnesses. However, failure to intervene will not preclude any  
 interested person or entity from appearing at the hearing and providing public comment  
 on the application or from filing written comments in the record of the case.

8 To request intervention, you must file **an original and 13 hard copies** of a written  
 9 request to intervene with Docket Control, 1200 West Washington Street, Phoenix, AZ  
 85007, **no later than July 14, 2017**. You also **must** serve a copy of the request to  
 10 intervene on each part of record, on the same day that you file the request to intervene  
 with the Commission. Information about intervention and sample intervention requests  
 11 are available on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Intervention in  
 Utility Cases" link.

12 Your request to intervene must contain the following:

- 13 1. Your name, address, and telephone number and the name, address, and  
 14 telephone number of any person upon whom service of documents is to be  
 made, if not yourself;
- 15 2. A reference to **Docket Nos. W-01427A-17-0059 and W-01427A-17-0077**;
- 16 3. A short statement of your interest in the proceeding (e.g., a customer or  
 17 potential customer of Liberty Litchfield Park, a member or shareholder of  
 Liberty Litchfield Park, etc.) and how you will be directly and substantially  
 18 affected by the outcome of the case, and why your intervention will not unduly  
 broaden the issues in the case;
- 19 4. A statement certifying that a copy of the motion to intervene has been mailed  
 20 to Liberty Litchfield Park or its counsel and to all parties of record in the case;  
 and
- 21 5. If you are not represented by an attorney who is an active member of the Arizona  
 22 State Bar, and is not an individual representing himself or herself, information  
 and any appropriate documentation demonstrating compliance with Arizona  
 23 Supreme Court Rules 31, 38, and 42, as applicable.

24 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
 25 that all motions to intervene must be filed on or before July 14, 2017. If representation  
 by counsel is required by Arizona Supreme Court Rule 31, intervention will be  
 conditioned upon the intervenor obtaining counsel to represent the intervenor.

### 26 ADA/Equal Access Information

27 The Commission does not discriminate on the basis of disability in admission to its  
 28 public meetings. Persons with a disability may request a reasonable accommodation  
 such as a sign language interpreter, as well as request this document in an alternative  
 format, by contacting the ADA Coordinator, Kacie Cannon, E-mail

1 KCannon@azcc.gov, voice phone number 602-542-3931. Requests should be made as  
2 early as possible to allow time to arrange the accommodation.

3 IT IS FURTHER ORDERED that **Liberty Litchfield Park shall, by June 26, 2017, file**  
4 **certification of mailing and publication** of the above notices.

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

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

10 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
11 31, 38, 39, and 42 and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.<sup>4</sup>

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

18 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
19 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

20 IT IS FURTHER ORDERED that each party or prospective party shall **refer to the Procedural**  
21 **Order Regarding Consent to Email Service** issued in this matter on **March 23, 2017**, for additional  
22 information regarding the process to consent to service by email. Information regarding Consent to  
23 Email Service is also available on the Commission's website (www.azcc.gov) by clicking on "Email  
24 Service Consent."  
25

...

26 <sup>4</sup> If a corporation is not represented by an attorney authorized to practice law in Arizona in a proceeding before the  
27 Commission, an officer of the corporation may represent the entity as long as the board of directors has authorized such  
28 person to represent it in the matter and such representation is not the person's primary duty to the entity, but secondary or  
incidental to other duties relating to the management or operation of the entity, and such person is not receiving separate or  
additional compensation for such representation. See Arizona Supreme Court Rule 31(d)(13). The Commission requires  
entities to docket evidence of board authorization.

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

DATED this 25<sup>th</sup> day of April, 2017.

  
\_\_\_\_\_  
SASHA PATERNOSTER  
ADMINISTRATIVE LAW JUDGE

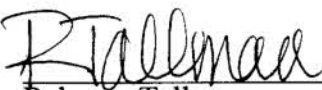
1 On this 25<sup>th</sup> day of April, 2017, the foregoing document was filed with Docket Control as a  
2 Procedural Order – Reschedules a Hearing, and copies of the foregoing were mailed on behalf of the  
3 Hearing Division to the following who have not consented to email service. On this date or 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 Jay Shapiro  
5 SHAPIRO LAW FIRM, P.C.  
6 1819 E. Morten Avenue, Suite 280  
7 Phoenix, Arizona 85020  
8 Attorneys for Liberty Utilities  
9 (Litchfield Park Water & Sewer) Corp.  
[jay@shapslawaz.com](mailto:jay@shapslawaz.com)  
[whitney@shapslawaz.com](mailto:whitney@shapslawaz.com)  
[Todd.Wiley@libertyutilities.com](mailto:Todd.Wiley@libertyutilities.com)  
**Consented to Service by Email**

10 Daniel W. Pozefsky  
11 Chief Counsel  
12 Residential Utility Consumer Office  
13 1110 W. Washington, Suite 220  
Phoenix, AZ 85007  
Attorneys for Residential Utility Consumer Office

14 Andy Kvesic, Director  
15 Legal Division  
16 ARIZONA CORPORATION COMMISSION  
17 1200 West Washington Street  
Phoenix, AZ 85007  
[LegalDiv@azcc.gov](mailto:LegalDiv@azcc.gov)  
[utildivservicebyemail@azcc.gov](mailto:utildivservicebyemail@azcc.gov)  
**Consented to Service by Email**

18 COASH & COASH, INC.  
19 Court Reporting, Video and  
20 Videoconferencing  
21 1802 North 7<sup>th</sup> Street  
Phoenix, AZ 85006  
**Not a party, mailed as a courtesy**

22  
23 By:   
24 Rebecca Tallman  
Assistant to Sasha Paternoster