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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

- GARY PIERCE, Chairman
- BOB STUMP
- SANDRA D. KENNEDY
- PAUL NEWMAN
- BRENDA BURNS

2012 APR 16 P 2:47

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS ANTHEM WATER DISTRICT AND ITS SUN CITY WATER DISTRICT, AND POSSIBLE RATE CONSOLIDATION FOR ALL OF ARIZONA-AMERICAN WATER COMPANY'S DISTRICTS.

DOCKET NO. W-01303A-09-0343

Arizona Corporation Commission

DOCKETED

APR 16 2012

DOCKETED BY	
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IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS ANTHEM/AGUA FRIA WASTEWATER DISTRICT, ITS SUN CITY WASTEWATER DISTRICT AND ITS SUN CITY WEST WASTEWATER DISTRICT, AND POSSIBLE RATE CONSOLIDATION FOR ALL OF ARIZONA-AMERICAN WATER COMPANY'S DISTRICTS.

DOCKET NO. SW-01303A-09-0343

PROCEDURAL ORDER

BY THE COMMISSION:

On July 2, 2009, Arizona-American Water Company ("Company") filed with the Arizona Corporation Commission ("Commission") an application for rate increases for its Anthem Water district, Sun City Water district, Anthem/Agua Fria Wastewater district, Sun City Wastewater district, and Sun City West Wastewater district.

On January 6, 2011, the Commission issued Decision No. 72047 in the consolidated dockets.

On April 1, 2011, the Company filed its Compliance Application to Support Consideration of Stand-Alone Revenue Requirements and Rate Designs for the Anthem/Agua Fria Wastewater District

1 (“Compliance Application”), as required by Decision No. 72047.

2 On April 27, 2011, the Commission issued a Procedural Order Setting Hearing for
3 Consideration of Compliance Application. The Procedural Order set a hearing to commence on
4 October 17, 2011, and set associated procedural deadlines.

5 On June 23, 2011, the City of Phoenix (“Phoenix” or “City”) docketed a filing titled Motion
6 to Intervene and Notice of Errors in Exhibit ‘A’ to Decision No. 72047 (“Motion”). The Motion
7 indicated that Phoenix wished to intervene in the proceeding on the Compliance Application. No
8 objections were filed to Phoenix’s Motion to Intervene.

9 On July 5, 2011, a Procedural Order was issued granting Phoenix intervention in this
10 proceeding on the Compliance Application in order to represent its interests on the issue of
11 Commission consideration of stand-alone revenue requirements and rate designs for the
12 Anthem/Agua Fria Wastewater District.

13 On April 10, 2012, the Recommended Opinion and Order in the above-referenced
14 proceeding was issued.

15 On April 16, 2012, Phoenix filed a Motion for Extension of Time to File Exception to the
16 Recommended Decision of the Administrative Hearing Officer. The City states that it did not receive
17 the Recommended Order, that it has confirmed it was omitted from the service list of the
18 Recommended Order, that it only discovered that the Recommended Order had been issued through
19 an unrelated discussion with a Staff member on April 13, 2012, and that the City’s counsel first saw
20 the Recommended Order online on April 16, 2012. Phoenix requests that it be given until April 23,
21 2012, to file its Exceptions because its interests have been prejudiced by having a shorter time than
22 other parties to respond to the Recommended Order.

23 **IT IS THEREFORE ORDERED that the City of Phoenix is hereby granted an extension**
24 **of time to file Exceptions to the Recommended Opinion and Order issued April 12, 2012. The**
25 **City’s Exceptions shall be filed by no later than noon on April 23, 2012.**

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

28 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance

1 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
2 Supreme Court Rule 42). Representation before the Commission includes appearances at all hearings
3 and procedural conferences, as well as all Open Meetings for which the matter is scheduled for
4 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
5 Law Judge or the Commission.

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

9 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
10 or waive any portion of this procedural order either by subsequent procedural order or by ruling at
11 hearing.

12 DATED this 16th day of April, 2012.

13
14 
15 TEENA JIBILIAN
16 ADMINISTRATIVE LAW JUDGE

17 Copies of the foregoing mailed/delivered
18 this 16th day of April, 2012 to:

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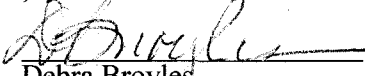
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