

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION  
Arizona Corporation Commission

COMMISSIONERS

2007 MAR 27 P 2:02

DOCKETED

MAR 27 2007

MIKE GLEASON, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, INC. 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 AND ANTHEM/AGUA FRIA WASTEWATER DISTRICTS.

DOCKET NO. WS-01303A-06-0403

PROCEDURAL ORDER

BY THE COMMISSION:

On June 16, 2006, Arizona-American Water Company ("Arizona-American" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a determination of the current fair value of its utility plant and property and for increases in its rates and charges for utility service in its Anthem Water and Anthem/Agua Fria Wastewater Districts.

On October 5, 2006, a Procedural Order was issued setting the matter for hearing to commence on May 29, 2007, and setting associated procedural deadlines.

On January 11, 2007, Arizona-American filed a Notice of Filing Affidavit of Publication.

On January 18, 2007, the Anthem Community Council ("Anthem") filed a Motion for Leave to Intervene. No objection to Anthem's Motion for Leave to Intervene was filed. Anthem should be granted intervention.

On March 16, 2007, written public comment was filed by Jason Brommel in opposition to the Company's proposed rate increase.

On March 26, 2007, Anthem filed Direct Testimony.

On March 27, 2007, the Commission's Utilities Division Staff ("Staff") filed a Request for a Three Day Extension of Time to File Testimony ("Request"). In the Request, Staff stated that it requires an additional three days due to an extremely heavy workload, and that Staff does not object to extending the remaining testimony dates by a comparable period of time. Staff counsel states in

1 the Request that the Company indicated to Staff that it would agree to an extension of time for Staff  
 2 to file its direct testimony on March 30, 2007 as long as the remaining testimony filing dates were  
 3 extended by a comparable period of time.

4 Staff proposed the following changes in filing dates:

	Current filing date	Proposed filing date
5 Staff and Intervenor		
6 Direct Testimony	March 27, 2007	March 30, 2007
7 Company Rebuttal Testimony	April 23, 2007	April 26, 2007
8		
9 Staff and Intervenor		
10 Surrebuttal Testimony	May 14, 2007	May 17, 2007
11 Company Rejoinder Testimony	May 21, 2007	May 23, 2007

12 Under the circumstances, Staff's request, as agreed to by the Company, is reasonable and  
 13 should be granted.

14 IT IS THEREFORE ORDERED that the **Staff Report and/or any testimony and associated**  
 15 **exhibits** to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or  
 16 before **March 30, 2007**.

17 IT IS FURTHER ORDERED that any **testimony and associated exhibits to be presented at**  
 18 **hearing on behalf of intervenors** shall be reduced to writing and filed on or before **March 30, 2007**.

19 IT IS FURTHER ORDERED that any **rebuttal testimony and associated exhibits** to be  
 20 presented at hearing by the Company shall be reduced to writing and filed on or before **April 26,**  
 21 **2007**.

22 IT IS FURTHER ORDERED that any **surrebuttal testimony and associated exhibits** to be  
 23 presented by Staff or intervenors shall be reduced to writing and filed on or before **May 17, 2007**.

24 IT IS FURTHER ORDERED that any **rejoinder testimony and associated exhibits** to be  
 25 presented at the hearing on behalf of the Company shall be reduced to writing and filed on or before  
 26 **May 23, 2007**.

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

1 IT IS FURTHER ORDERED that any objections to any testimony or exhibits which have  
2 been prefiled as of May 23, 2007, shall be made before or at the May 24, 2007 pre-hearing  
3 conference.

4 IT IS FURTHER ORDERED that all other requirements and filing deadlines set forth in the  
5 October 5, 2007 Procedural Order remain unchanged.

6 IT IS FURTHER ORDERED that the Anthem Community Council is hereby granted  
7 intervention.

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

11 IT IS FURTHER ORDERED that all parties must comply with Rule 33(c) and 38(a) of the  
12 Rules of the Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

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

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

22 Dated this 27<sup>th</sup> day of March, 2007

23  
24  
25  
26  
27  
28

  
\_\_\_\_\_  
TEENA WOLFE  
ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered  
this 27th day of March, 2007 to:

2 Craig A. Marks  
3 Craig A. Marks, PLC  
3 3420 E. Shea Blvd., Ste. 200  
4 Phoenix, AZ 85028  
4 Attorney for Arizona-American Water Company

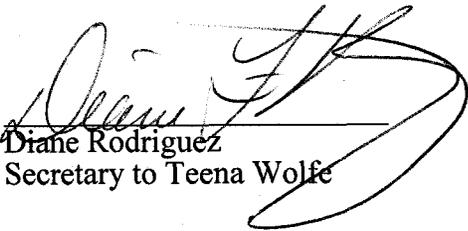
5 Thomas M. Broderick  
6 ARIZONA-AMERICAN WATER COMPANY  
6 19820 N. 7<sup>th</sup> Street, Ste. 201  
7 Phoenix, AZ 85024

8 Scott S. Wakefield  
8 RUCO  
9 1110 West Washington Street, Ste. 220  
9 Phoenix, AZ 85007

10 Michele Molinario  
11 RIDENOUR, HIENTON, KELHOFFER,  
11 LEWIS & GARTH, PLLC  
12 201 N. Central Ave., Ste. 3300  
12 Phoenix, AZ 85004-1052  
13 Attorneys for Anthem Community Council

14 Christopher Kempley, Chief Counsel  
14 Legal Division  
15 ARIZONA CORPORATION COMMISSION  
15 1200 West Washington Street  
16 Phoenix, AZ 85007

17 Ernest G. Johnson, Director  
17 Utilities Division  
18 ARIZONA CORPORATION COMMISSION  
18 1200 West Washington  
19 Phoenix, AZ 85007

20  
21 By:   
22 Diane Rodriguez  
23 Secretary to Teena Wolfe

24  
25  
26  
27  
28