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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

COMMISSIONERS

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MIKE GLEASON, Chairman  
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KRISTIN K. MAYES  
GARY PIERCE

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AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY [nr]

IN THE MATTER OF THE APPLICATION OF  
GOLD CANYON SEWER COMPANY FOR A  
DETERMINATION OF FAIR VALUE OF ITS  
UTILITY PLANT AND PROPERTY AND FOR  
INCREASES IN ITS RATES AND CHARGES FOR  
UTILITY SERVICE BASED THEREON.

DOCKET NO. SW-02519A-06-0015

PROCEDURAL ORDER

BY THE COMMISSION:

On January 13, 2006, Gold Canyon Sewer Company ("Gold Canyon" 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 wastewater utility service provided to customers in the Company's certificated service area in Pinal County, Arizona.

On June 28, 2007, the Commission docketed Decision No. 69664 granting a rate increase to Gold Canyon.

On July 18, 2007, the Residential Utility Consumer Office ("RUCO") filed an Application for Rehearing on two issues raised by RUCO during the hearing: an allegation of "excess capacity" in the Company's treatment plant and the capital structure employed in the Commission's Order.

During a Staff Meeting held on August 1, 2007, the Commission granted rehearing.

A procedural conference was held on September 5, 2007. During the procedural conference, the parties discussed, among other things, testimony filing dates and potential hearing dates.

By Procedural Order issued September 14, 2007, a hearing was scheduled for November 13, 2007, Gold Canyon was directed to publish notice of the hearing, and testimony filing dates were established.

On October 9, 2007, Staff filed a Motion to Compel and Request for Procedural Conference.

1 Staff states that it has been unable to reach a resolution with the Company regarding a protective  
2 agreement covering unredacted legal invoices.

3 On October 10, 2007, Gold Canyon filed a Response to Motion to Compel and Request for  
4 Procedural Conference. The Company claims that Staff's Motion to Compel is inadequate because it  
5 provides only a cursory identification of the information it seeks to compel. Regarding the substance  
6 of the request, Gold Canyon argues that Staff's standard protective agreement would not provide  
7 sufficient protection. The Company seeks a protective agreement that would provide ongoing  
8 protection of the information under the attorney-client privilege and attorney work product doctrine,  
9 and that would allow the information to be used by Staff only for substantiating rate case expense.

10 On October 10, 2007, Gold Canyon filed a Request for Extension of Time to File Responsive  
11 Rehearing Testimony. The Company states that Staff and RUCO do not oppose the request to extend  
12 the filing date for Gold Canyon's testimony from October 26, 2007 to October 30, 2007. Gold  
13 Canyon does not oppose granting the same extension of the filing date for Staff's filing responsive  
14 testimony.

15 IT IS THEREFORE ORDERED that a **procedural conference shall be scheduled for**  
16 **October 22, 2007, at 10:00 a.m.**, at the offices of the Commission, 1200 West Washington, Phoenix,  
17 Arizona 85007, to discuss Staff's pending Motion to Compel.

18 IT IS FURTHER ORDERED that Gold Canyon's Request for Extension of Time to File  
19 Responsive Rehearing Testimony is granted, **and date for filing of the Company's and Staff's**  
20 **responsive testimony shall be extended until October 30, 2007.**

21 IT IS FURTHER ORDERED that, in all other respects, the September 14, 2007, Procedural  
22 Order shall remain in full force and effect.

23 IT IS FURTHER ORDERED that all parties must comply with Rule 33 (c) and (d) of the  
24 Rules of the Arizona Supreme Court with respect to practice of law and admission pro hac vice.

25 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance  
26 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
27 Rules of the Arizona Supreme Court). Representation before the Commission includes the obligation  
28 to appear at all hearings and procedural conferences, as well as all Open Meetings for which the

1 matter is scheduled for discussion, unless counsel has previously been granted permission to  
2 withdraw by the Administrative Law Judge.

3 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized  
4 Communications) continues to apply to this proceeding.

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

8 Dated this 15<sup>th</sup> day of October, 2007



DWIGHT D. NODES  
ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered  
14 this 15<sup>th</sup> day of October, 2007 to:

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