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## **ARIZONA CORPORATION COMMISSION**

### REQUIREMENTS TO PROCESS AN EMERGENCY RATE CASE APPLICATION WITHIN 30 DAYS

One or more of the following conditions must exist before a Company files an emergency rate application:

- A sudden change brings hardship to the Company;
- The Company is insolvent; or
- The condition of the Company is such that its ability to maintain service pending a permanent rate determination is in serious doubt.

Once a Company determines that it qualifies for emergency rate relief, it should contact the Commission's Utilities Division ("Staff") to ask Staff to open a docket. Once a docket is opened, the Company should mail a notice to customers informing them of the Company's intent to request an emergency rate case prior to filing the application. The notice must include information on the emergency request as well as the location customers can find additional information regarding the pending case.

The application must contain the following information/documentation:

- A narrative cover sheet(s) devoted to the explanation of the emergency condition(s) present in the Company;
- A requested amount of dollars to be recovered in the emergency rate;
- An emergency rate charge to apply to customers;
- A method or mechanism to recover the requested amount of dollars;
- A detailed breakdown of the system repairs, if any, necessary to alleviate the emergency condition. To include information such as size, quantity, capacity, and condition of all repair areas, and a listing for the cost of labor per repair item;
- A copy of an estimate of the cost of repairs;
- Certification that notice of the emergency rate application has been mailed to customers, in a form acceptable to Staff; and
- A copy of the notice mailed to customers.

For Class C, D, and E utilities, the Company must file the original emergency rate application, along with one (1) hard copy, with Docket Control, 1200 West Washington Street, Phoenix, Arizona, 85007. (Class A and B utilities are required to file an original and fifteen (15) copies.)

The Commission's Hearing Division will schedule a Procedural Conference to occur within five (5) business days of the filing of the application to discuss hearing dates and other procedural issues. The Administrative Law Judge ("ALJ") assigned to the matter will set a hearing date as soon as possible based on the availability of the parties and their ability to prepare their respective cases for presentation at the hearing. The ALJ will also direct the Company to work with Staff to provide notice of the

hearing date by means of posting notice in a conspicuous location within the affected communities, emailing notice to customers, and/or posting on the Company's website (or by other appropriate means), to allow an opportunity for customers to attend the hearing and provide public comment.

At the hearing, the Company and Staff (and any intervenors) will provide verbal testimony to present their positions and analysis regarding the Company's application. In most circumstances, Staff will not provide written documents or schedules in advance of the hearing. At the conclusion of the hearing, the ALJ will take the matter under advisement and issue a Recommended Opinion and Order ("ROO") within one week. The ROO will require, among other things, that the Company file a permanent rate case application by a specified date set by the Commission anywhere from six to 24 months of the Commission's Decision on the emergency rate application; and that the rates approved by the Commission are subject to customer refund in the permanent rate case.

Depending on the Commission's Open Meeting schedule, the emergency rate application may be decided by the Commission within 30 days. However, due to the unique circumstances of each case, the requirement to process the emergency rate case within 30 days may be extended to within 60 days at the request of the Company or Staff, or on the Commission's own initiative, for good cause.

**PUBLIC NOTICE OF THE APPLICATION OF <ABC WATER COMPANY>**  
**FOR AN EMERGENCY RATE INCREASE**  
**(DOCKET NO. <INSERT DOCKET NUMBER>)**

On <insert month and day, year> (“<ABC WATER COMPANY>” or “Company”) filed with the Arizona Corporation Commission (“Commission”) an Application for an emergency rate increase. The Company claims that it is entitled to emergency rate relief because <insert explanation of the emergency condition>. The Company estimates that it will incur \$\_\_\_\_\_ in costs to alleviate the emergency condition. The Company is requesting authorization to recover \$\_\_\_\_\_ in emergency rates by implementing a monthly surcharge in the amount of \$ \_\_\_\_\_ per customer.

**The Commission’s Utilities Division (“Staff”) is in the process of reviewing and analyzing the Application. Neither Staff nor any intervenor(s) has yet made any recommendation regarding the Company’s request. The Commission is not bound by the proposals made by the Company, Staff, or any intervenor(s), and the Commission may approve the amount of the request, modify the amount higher or lower, or deny the request.**

If you have any questions concerning how the Application may affect your bill or have other substantive questions about the Application, you may contact the Company at: <Company to insert name, address, telephone number, and email address for customer contacts concerning the Application>.

**How You Can View or Obtain a Copy of the Application**

Copies of the Application are available from <Company to insert how and where available>; at the Commission’s Docket Control Center at 1200 West Washington Street, Phoenix, Arizona, during regular business hours; and on 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 full public hearing on this matter. The Commission’s Hearing Division will schedule a procedural conference to occur within five business days of the filing of the Application in order to set a public hearing date and establish other procedural requirements.

The Company will provide notice of the hearing date by means of posting notice in a conspicuous location within the affected communities, emailing notice to customers, and/or posting on the Company’s website (or by other appropriate means), to allow an opportunity for customers to attend the hearing and provide verbal public comment.

Public comments will be taken on the first day of the hearing. Written public comments may be submitted at any time by mailing a letter referencing **Docket No. <insert docket number>** to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by submitting comments on the Commission’s website ([www.azcc.gov](http://www.azcc.gov)) using the “Submit a Public Comment for a Utility” function. If you require assistance, you may contact the Consumer Services Section during regular business hours at 602-542-4251 or 1-800-222-7000.

**About Intervention**

The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene. An interested person may be granted intervention if the outcome of the case

will directly and substantially impact the person, and the 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. **Intervention is not required if you want to appear at the hearing and provide public comment on the Application, or if you want to file written comments in the record of the case.**

To request intervention, you must file an **original plus one hard copy** (if the application is for a Class A or B utility, an original plus 13 hard copies are required) of a written request to intervene with Docket Control, 1200 West Washington Street, Phoenix, AZ 85007, no later than <Company to insert date 10 calendar days following the filing of the Application>. You also **must** serve a copy of the request to intervene on each party of record on the same day that you file the request to intervene with the Commission. **Information about what intervention means, including an explanation of the rights and responsibilities of an intervenor, is available on the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the "Intervention in Utility Cases" link.** The link also includes sample intervention requests.

If you choose to request intervention, your request must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any person upon whom service of documents is to be made, if not yourself;
2. A reference to **Docket No. <insert docket number>**;
3. A short statement explaining:
  - a. Your interest in the proceeding (e.g., a customer of the Company, etc.);
  - b. How you will be directly and substantially affected by the outcome of the case; and
  - c. Why your intervention will not unduly broaden the issues in the case;
4. A statement certifying that you have served a copy of the request to intervene on the Company or its attorney and to all parties of record in the case; and
5. If you are not represented by an attorney who is an active member of the Arizona State Bar, and you are not representing yourself as an individual, sufficient information and any appropriate documentation to demonstrate compliance with Arizona Supreme Court Rules 31, 38, 39, and 42, as applicable.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that **all motions to intervene must be filed on or before <Company to insert date 10 calendar days following the filing of the Application>**.

**If you do not intervene in this proceeding, you may not receive any further notice of the proceedings in this docket. However, all documents filed in this docket are available online (usually within 24 hours after docketing) at the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function. You may choose to subscribe to an RSS feed for this case using the e-Docket function.**

#### **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 Shaylin Bernal, ADA

Coordinator, voice phone number at 602-542-3931, and email at [SAbernal@azcc.gov](mailto:SAbernal@azcc.gov). Requests should be made as early as possible to allow time to arrange the accommodation.