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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION
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COMMISSIONERS

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

DOCKETED BY	<i>CM</i>
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IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY FOR A HEARING TO DETERMINE THE FAIR VALUE OF THE UTILITY PROPERTY OF THE COMPANY FOR RATEMAKING PURPOSES, TO FIX A JUST AND REASONABLE RATE OF RETURN THEREON, TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN, AND FOR APPROVAL OF PURCHASED POWER CONTRACT.

DOCKET NO. E-01345A-03-0437

PROCEDURAL ORDER

BY THE COMMISSION:

On June 27, 2003, the Arizona Public Service Company ("APS") filed with the Arizona Corporation Commission ("Commission") and application for a rate increase and for approval of purchased power contract.

On July 25, 2003, the Utilities Division Staff ("Staff") of the Commission filed a letter stating that the application was found sufficient and classified the applicant as a Class A utility.

On August 27, 2003, Arizona Water Company ("AWC") filed an application to intervene.

On September 4, 2003, Southwest Gas Corporation ("SWG") filed a request to intervene.

On September 10, 2003, Western Resource Advocates ("WRA") filed an application to intervene.

On September 12, 2003, Constellation NewEnergy, Inc. ("CNE"), Strategic Energy, L.L.C. ("SEL") and Dome Valley Energy Partners, LLC ("DVEP") filed applications to intervene.

On September 18, 2003, UniSource Energy Services ("UES") also filed an application to intervene.

No objections have been filed and accordingly, the applications to intervene filed by AWC, SWG, WRA, CNE, SEL, DVEP and UES should be granted.

IT IS THEREFORE ORDERED that AWC, SWG, WRA, CNE, SEL, DVEP and UES are

1 hereby granted intervention in the above-captioned matter.

2 On August 5, 2003, pursuant to Rule 33(c) and (d) of the Rules of the Supreme Court,
3 Michael L. Kurtz, on behalf of The Kroger Company, filed a Motion and Consent of Local Counsel
4 for pro hac vice admission in the above-captioned matter. The Consent listed J. William Moore, as
5 the designated member of the State Bar with whom communication can be made and upon whom
6 papers shall be served.

7 In the discretion of the Commission, Michael L. Kurtz should be permitted to appear and
8 participate in the above-captioned matter.

9 IT IS THEREFORE ORDERED that Michael L. Kurtz shall be admitted pro hac vice in the
10 above-captioned matter. His address for service of papers and other communication shall be:

11 Michael L. Kurtz
12 36 E. Seventh Street, Suite 2110
13 Cincinnati, Ohio 45202

14 IT IS FURTHER ORDERED that the address for service of papers and other communication
15 for the Arizona-licensed attorney designated as J. William Moore shall be:

16 J. William Moore
17 ATTORNEY AT LAW
18 1144 E. Jefferson
19 Phoenix, Arizona 85034

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

22 DATED this 14th day of October, 2003.

23 
24 _____
25 LYN FARMER
26 CHIEF ADMINISTRATIVE LAW JUDGE
27
28

1 Copies of the foregoing mailed/delivered
 2 This 14th day of October, 2003 to:

3
 4 Thomas L. Mumaw
 5 Karilee S. Ramaley
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10
11 Arizona Reporting Service, Inc.
2627 N. Third Street, Suite Three
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12
13 By: 
14 Debbi Person
15 Secretary to Lyn Farmer

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