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BEFORE THE ARIZONA CORPORATION COMMISSION

2004 APR 16 A 4: 08 Arizona Corporation Commission

COMMISSIONERS

DOCKETED

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

AZ CORP COMMISSION  
DOCUMENT CONTROL

APR 16 2004

DOCKETED BY

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 April 6, 2004, Arizona Corporation Commission Staff filed a Motion to Amend the Rate Case Procedural Order ("Motion"). On April 15, 2004, a procedural conference was held to hear argument/discussion on the Motion. The parties were in support of Staff's Motion, and also agreed that APS' request for an additional two weeks for filing rejoinder testimony was acceptable. The parties provided initial but limited discussion on the request for a temporary stay of the procedural schedule and discovery, and accordingly, additional argument on that request is appropriate.

IT IS THEREFORE ORDERED that any surrebuttal testimony and associated exhibits to be presented by the Staff or intervenors at the hearing shall be reduced to writing and filed on or before **noon on June 4, 2004.**

IT IS FURTHER ORDERED that any rejoinder testimony and associated exhibits to be presented at the hearing on behalf of APS shall be reduced to writing and filed on or before **noon on July 2, 2004.**

IT IS FURTHER ORDERED that a procedural conference to hear oral arguments on the Alliance's Motion and on the requested temporary stay of the procedural schedule and further discovery pending settlement discussions shall be held on April 28, 2004 beginning at 9:30 a.m. or as

1 soon thereafter as is practical, at the Commission's office, 1200 W. Washington Street, Phoenix,  
2 Arizona.<sup>1</sup>

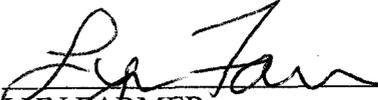
3 IT IS FURTHER ORDERED that APS shall file its response to the Alliance Motion on or  
4 before April 22, 2004.

5 IT IS FURTHER ORDERED that the cut-off date for discovery is July 8, 2004.

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.

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

10 DATED this 16 day of April, 2004.

11   
12 LYN FARMER  
13 CHIEF ADMINISTRATIVE LAW JUDGE

14 Copies of the foregoing mailed/delivered  
15 this 16 day of April, 2004 to:

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26 By: 

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