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BEFORE THE ARIZONA CORPORATION COMMISSION

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

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
ARIZONA PUBLIC SERVICE COMPANY FOR  
AN EMERGENCY INTERIM RATE INCREASE  
AND FOR AN INTERIM AMENDMENT TO  
DECISION NO. 67744.

DOCKET NO. E-01345A-06-0009

PROCEDURAL ORDER

BY THE COMMISSION:

On January 6, 2006, the Arizona Public Service Company ("APS") filed an application with the Arizona Corporation Commission ("Commission") for an emergency interim rate increase and for an interim amendment to Decision No. 67744 (April 7, 2005) ("Application").

By Procedural Order issued January 9, 2006, a procedural conference to discuss the process for handling this matter was set for January 12, 2006. The January 12, 2006 Procedural Conference was held as scheduled.

On January 19, 2006, Staff filed a Notice of Filing Proposed Schedule which indicated that Staff, APS and the parties that participated in the Procedural Conference had agreed upon a procedural schedule. In accordance with that proposal, APS filed supplemental testimony on January 20, 2006.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall commence on **March 20, 2006, at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Arizona 85007.

IT IS FURTHER ORDERED that a **pre-hearing conference** shall be held on **March 14, 2006, at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's Phoenix offices, for the purpose of scheduling witnesses and the conduct of the hearing.

1 IT IS FURTHER ORDERED that **Staff and Intervenor testimony and associated exhibits** to  
2 be presented at hearing shall be reduced to writing and filed on or before **February 28, 2006.**

3 IT IS FURTHER ORDERED that any **rebuttal testimony and associated exhibits** to be  
4 presented at hearing by APS shall be reduced to writing and filed on or before **noon on March 13,**  
5 **2006.**

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

8 IT IS FURTHER ORDERED that any objections to any testimony or exhibits which have  
9 been prefiled as of March 14, 2006, shall be made before or at the March 14, 2006 pre-hearing  
10 conference.

11 IT IS FURTHER ORDERED that *intervention shall be in accordance with A.A.C. R14-3-105,*  
12 *except that all **motions to intervene must be filed on or before February 24, 2006.***

13 IT IS FURTHER ORDERED that any motions which are filed in this matter and which are  
14 not ruled upon by the Commission within 10 days of the filing date of the motion shall be deemed  
15 denied.

16 IT IS FURTHER ORDERED that any responses to motions shall be filed within five days of  
17 the filing date of the motion.

18 IT IS FURTHER ORDERED that any replies shall be filed within five days of the filing date  
19 of the response.

20 IT IS FURTHER ORDERED that the Company shall provide public notice of the hearing in  
21 this matter, in the following form and style with the heading in no less than 24 point bold type and the  
22 body in no less than 10 point regular type:  
23

24 ...  
25 ...  
26 ...  
27 ...

28

**PUBLIC NOTICE OF HEARING ON THE APPLICATION FOR AN EMERGENCY  
INTERIM RATE INCREASE AND FOR AN INTERIM AMENDMENT TO DECISION NO.  
67744 BY ARIZONA PUBLIC SERVICE COMPANY  
DOCKET NUMBER E-01345A-06-0009**

On January 6, 2006, Arizona Public Service Company, ("APS") filed an application with the Arizona Corporation Commission for an emergency interim rate increase of \$299 million, or 14 percent, to be effective April 1, 2006 and subject to refund. The actual percentage rate increase for individual customers will vary depending upon the type and quantity of service provided. Copies of APS' application and proposed tariffs are available at its office [insert address and telephone number] and the Commission's offices at 1200 West Washington, Phoenix, Arizona, for public inspection during regular business hours and on the internet via the Commission website ([www.azcc.gov](http://www.azcc.gov)) using the e-docket function.

The Commission will hold a hearing on this matter beginning **March 20, 2006 at 10:00 a.m.** at the Commission's offices, 1200 West Washington, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. **Written public comments** may be submitted via email (visit <http://www.cc.state.az.us/utility/cons/index.htm> for instructions), or by mailing a letter referencing Docket Number E-01345A-06-0009 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene and 13 copies with the Commission, which motion should be sent to APS or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer, stockholder of APS, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to APS or its counsel and to all parties of record in the case.

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 February 24, 2006. For information about requesting intervention, visit the Arizona Corporation Commission's webpage at <http://www.cc.state.az.us/utility/forms/index.htm>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf.

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 the ADA Coordinator, Linda Hogan, voice phone number

602/542-3931, E-mail Lhogan@azcc.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that APS shall cause the above notice to be published at least once in a newspaper of general circulation in all its service territories, with publication to be completed no later than February 6, 2006.

IT IS FURTHER ORDERED that APS shall file certification of publication as soon as practicable after the publication has been completed.

IT IS FURTHER ORDERED that APS shall provide a copy of the notice and the application to all entities that were parties to Decision No. 67744.

IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same, notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

IT IS FURTHER ORDERED that the time periods specified herein shall not be extended pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

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

DATED this 21 day of January, 2006

  
LYN FARMER  
CHIEF ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 21 day of January, 2006 to:

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P.O. Box 53999, MS 8695  
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5  
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ONE SOUTH CHURCH STREET, STE. 200  
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16 JAY I. MOYES  
Moyes Storey  
17 1850 N. CENTRAL AVENUE, STE. 1100  
PHOENIX AZ 85004

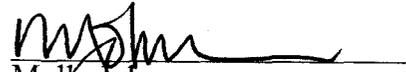
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20 MESA, AZ 85201

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UTILITIES DIVISION  
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2627 N. THIRD STREET, SUITE THREE  
PHOENIX, ARIZONA 85004-1103

By:

  
Molly Johnson  
Secretary to Lyn Farmer