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THE ARIZONA CORPORATION COMMISSION

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2 WILLIAM MUNDELL  
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AZ CORP COMMISSION  
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6 IN THE MATTER OF THE APPLICATION OF )  
CITIZENS COMMUNICATIONS COMPANY, )  
7 ARIZONA GAS DIVISION, FOR A HEARING )  
TO DETERMINE THE FAIR VALUE OF ITS )  
8 PROPERTIES FOR RATEMAKING PURPOSES, )  
TO FIX A JUST AND REASONABLE RATE OF )  
9 RETURN THEREON, AND TO APPROVE RATE )  
SCHEDULES DESIGNED TO PROVIDE SUCH )  
10 RATE OF RETURN. )

Docket No.G-01032A-02-0598

**STAFF'S RESPONSE TO  
APPLICANT'S MOTION TO  
SUSPEND.**

11  
12 The Utilities Division Staff ("Staff") of the Arizona Corporation Commission  
13 ("Commission") now comes to respond to the Citizens Communications Company, Arizona Gas  
14 Division's ("Citizens") Motion to Suspend, docketed on November 20, 2002.

15 While Staff agrees that the above captioned case should be temporarily suspended given the  
16 anticipated filing of an application for approval of a sale of assets agreement between Citizens and  
17 UniSource Energy Corporation ("UniSource"), Staff disagrees with Citizens request to maintain the  
18 same scheduling dates currently set by the Procedural Order issued on November 8, 2002.

19 Staff agrees that the parties need time to review the asset sale application and consider its  
20 impact on this gas case. It is for this very reason that Staff must oppose Citizens request to maintain  
21 the current procedural dates at this time. To maintain the same scheduling dates is in opposition to  
22 the very nature of a temporary suspension and simply doesn't make sense. Black's Law  
23 Dictionary, 1009 (Abridged 6<sup>th</sup> ed. 1991) defines the term "suspend" as follows: "[t]o interrupt; to  
24 cause to cease for a time; to postpone; to stay, delay, or hinder..." Thus, a request to suspend  
25 inherently means that the current procedural schedule must be interrupted or postponed. If the  
26 request to maintain the current dates was granted, it would act to nullify the meaning or purpose of a  
27 Motion to Suspend. In other words, a suspension of this case without setting aside the current  
28 procedural dates serves no purpose but to shorten Staff's ( and the Interveners) time for review and

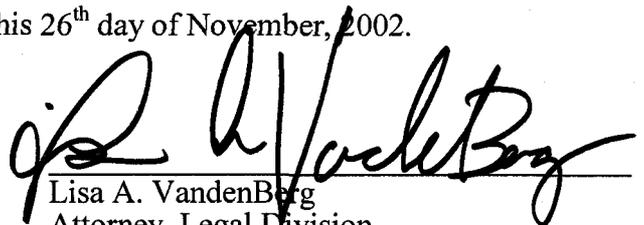
1 analysis of a rate case made more complex by UniSource's purposed purchase of Citizens.

2 At this point, Staff needs time to review Citizens and UniSource's filings and determine what  
3 changes these parties will be making in the current gas rate case application. Given that none of  
4 these filings are currently available for Staff's review and aren't anticipated to be docketed until mid-  
5 December, it is inappropriate to predetermine what effect these filings will have on the procedural  
6 timing of this case.

7 Thus, Staff requests a Procedural Order scheduling a Procedural Conference on or near  
8 Citizens' requested date of January 15, 2003. Staff further requests that procedural calendar be  
9 suspended until the parties reconvene for the scheduled Procedural Conference. At the time of the  
10 Conference, Staff believes that the parties will be in a better position to discuss the potential  
11 scheduling impact the asset sale application has upon this gas rate case.

12 For the reasons stated above, Staff agrees with Citizens request to suspend. Further, Staff  
13 requests that the procedural schedule be suspended until the parties appear for the next Procedural  
14 Conference wherein an appropriate schedule can be established based upon the recent and significant  
15 changes in this matter.

16 RESPECTFULLY SUBMITTED this 26<sup>th</sup> day of November, 2002.

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27 Original and fifteen (15) copies were filed  
28 this 26<sup>th</sup> day of November, 2002 with:

24 Docket Control  
25 Arizona Corporation Commission  
26 1200 West Washington Street  
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28 Copies of the foregoing were mailed  
this 26<sup>th</sup> day of November, 2002 to:

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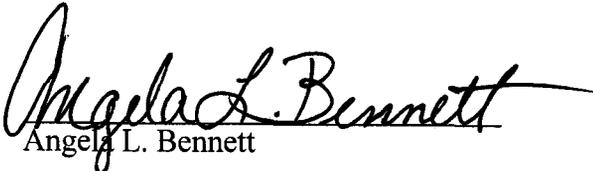
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