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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS Arizona Corporation Commission

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2006 SEP 21 P 3:38

AT CORP COMMISSION
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NR

IN THE MATTER OF THE COMPLAINT
OF BUREAU OF INDIAN AFFAIRS,
UNITED STATES OF AMERICA,
AGAINST MOHAVE ELECTRIC
COOPERATIVE, INC. AS TO SERVICES
TO THE HAVASUPAI AND HUALAPAI
INDIAN RESERVATIONS.

DOCKET NO. E-01750A-05-0579

**MOHAVE ELECTRIC
COOPERATIVE'S DISCOVERY PLAN**

Mohave Electric Cooperative, Inc. ("Mohave"), files this Discovery Plan in accordance with the Procedural Order dated September 11, 2006. The purpose of this filing is to outline, generally, a schedule for discovery in this matter prior to hearing or the filing of dispositive motions.

- 09/13/06 Mohave emailed and mailed its first set of data requests to the BIA
- 09/20/06 BIA's Responses due
- 09/27/06 Mohave's 2nd set of data requests to BIA (anticipated)
- 10/09/06 BIA's Responses due
- 10/09/06 Simultaneous disclosure of Non-experts
- 10/16/06 Simultaneous disclosure of Experts
- 10/16/06 Simultaneous disclosure of initial list of persons to be deposed

Mohave anticipates its list will include, but not be limited to:

1. Any witnesses BIA will call at hearing.
2. Any experts identified by BIA, whether or not a witness,

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3. Dan Jackson.
4. Person(s) identified as responsible to running the BIA electric system on: (a) the Havasuapai Reservation, (b) the Hualapai Reservation and (c) the San Carlos Irrigation and Power Project from 1975 to present.
5. Person(s) identified as responsible for developing and implementing strategies (including divestiture) for securing electric power for: (a) the Havasuapai Reservation, (b) the Hualapai Reservation and (c) the San Carlos Irrigation and Power Project from 1975 to present.
6. Person(s) BIA claims Mohave now has a general utility obligation to serve.

- 10/26/06 – Conduct Depositions and propound follow-up data requests
- 11/22/06
- 11/22/06 Discovery Cut-off (subject to extension for good cause)
- 12/6/06 Cut-off to Amend Pleadings/Eliminate Non-Meritorious Claims
- 01/05/07 Parties Exchange Statements of Material Facts
- 01/12/07 Parties Stipulate, to the extent possible, to Uncontested Material Facts
- 01/19/07 Cut-off for Dispositive Motions
- 02/19/07 Simultaneous Responses
- 03/06/07 Simultaneous Replies
- Week of Oral Argument
- 03/19/07
- Week of Pre-hearing Conference/Parties submit a Joint Pre-Hearing Statement
- 04/02/07 two days prior to the pre-hearing conference in general conformance with Rule 16(d) of the Arizona Rules of Civil Procedure

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Week of
04/09/07 Hearing

RESPECTFULLY SUBMITTED this 21 day of September, 2006.

CURTIS, GOODWIN, SULLIVAN,
UDALL & SCHWAB, P.L.C.

By: 

Michael A. Curtis
William P. Sullivan
Larry K. Udall
Nancy A. Mangone
2712 North 7th Street
Phoenix, Arizona 85006-1003
Attorneys for Mohave Electric Cooperative, Inc.

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PROOF OF AND CERTIFICATE OF MAILING

I hereby certify that on this 21st day of September, 2006, I caused the foregoing document to be served on the Arizona Corporation Commission by delivering the original and thirteen (13) copies of the above to:

Docket Control Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Copies of the foregoing hand delivered/mailed
this 21st day of September, 2006 to:

Teena Wolfe, Esq.
Administrative Law Judge, Hearing Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Christopher Kempley, Chief Counsel
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Ernest Johnson
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Paul K. Charlton
Mark J. Wenker
U.S. Attorney's Office
40 North Central, Suite 1200
Phoenix, AZ 85004-4408
Attorney for the BIA



FA1234-7-19-1 BIA\Pleadings\Statement of Intent re Plandoc