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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

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AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission
DOCKETED

OCT 24 2006

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IN THE MATTER OF THE COMPLAINT OF THE 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

PROCEDURAL ORDER

BY THE COMMISSION:

On August 10, 2005, the Bureau of Indian Affairs, United States of America, ("BIA" or "Complainant") filed the above-captioned Complaint against Mohave Electric Cooperative, Inc. ("Mohave" or "Respondent") with the Arizona Corporation Commission ("Commission").

On September 7, 2006, following numerous filings and several procedural conferences, a Pre-Hearing Conference was held in this matter as scheduled by the Procedural Order issued on August 4, 2006. The BIA, Mohave and the Commission's Utilities Division Staff entered appearances through counsel and discussed procedural issues related to the Complaint.

On September 11, 2006, a Settlement Conference Procedural Order was issued setting a settlement conference to commence on September 26, 2006, and informing the parties of procedural requirements related to the settlement conference.

By Procedural Order issued September 20, 2006, the settlement conference was rescheduled for October 17, 2006.

On September 21, 2006, Mohave filed its Discovery Plan.

On October 5, 2006, the BIA filed a Response to Mohave's Proposed Discovery Plan.

1 On October 10, 2006, Mohave filed a Reply to BIA's Response to Mohave's Proposed
2 Discovery Plan.

3 On October 10, 2006, Mohave also filed a Notice of Filing Outage Response Plan, and
4 docketed a copy of a letter to Governor Napolitano.

5 On October 16, 2006, the BIA filed a Motion for Partial Summary Judgment and Statement of
6 Facts in Support of its Motion for Partial Summary Judgment.

7 On October 18, 2006, a Procedural Entry was docketed indicating that the settlement
8 conference ordered by the September 11, 2006 Procedural Order and continued by the September 20,
9 2006 Procedural Order was held as scheduled on October 17, 2006. The Procedural Entry indicated
10 that the BIA and Mohave appeared with counsel at the settlement conference and were unable to
11 resolve the issues raised by the Complaint in this proceeding.
12

13 On October 23, 2006, the BIA filed a Motion for Protective Order.

14 A procedural conference should be held for the purpose of allowing discussion of issues
15 raised in Mohave's September 21, 2006 Proposed Discovery Plan, the BIA's October 5, 2006,
16 Response to Mohave Electric's Proposed Discovery Plan, Mohave's October 10, 2006 Response to
17 Mohave's Proposed Discovery Plan, and the BIA's October 23, 2006 Motion for Protective Order.
18

19 IT IS THEREFORE ORDERED that a **Procedural Conference** shall be held to commence
20 on **November 1, 2006, at 1:30 p.m.**, or as soon as practical thereafter, in Room 100 of the
21 Commission's offices, 1200 W. Washington, Phoenix, Arizona, for the purpose of allowing the
22 parties to discuss discovery issues.
23

24 IT IS FURTHER ORDERED that

25 ...

26 ...

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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 24th day of October, 2006.


TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered/faxed this 24th day of October, 2006 to:

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By: 
Debbi Person
Secretary to Teena Wolfe

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