

ORIGINAL



0000079210

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

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

2007 NOV 27 P 1:19

DOCKETED

NOV 27 2007

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

DOCKETED BY [signature]

IN THE MATTER OF THE APPLICATION OF
SEMPRA ENERGY SOLUTIONS LLC FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR COMPETITIVE RETAIL
ELECTRIC SERVICE.

DOCKET NO. E-03964A-06-0168

PROCEDURAL ORDER

BY THE COMMISSION:

On March 16, 2006, Sempra Energy Solutions LLC ("Sempra" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity to provide competitive retail electric service.

Intervention was granted to Tucson Electric Power Company ("TEP") on April 12, 2006; to Arizona Public Service Company ("APS") on April 26, 2006; to Air Liquide Industrial U.S. LP ("Air Liquide") on June 15, 2006; to the Residential Utility Consumer Office ("RUCO") on April 13, 2007; to the Salt River Project Agricultural and Improvement Project ("SRP") on May 11, 2007,¹ to New West Energy ("New West") on July 31, 2007, and to the Arizona Investment Council ("AIC") on August 15, 2007.

As outlined in the Procedural Order issued September 28, 2007, pursuant to requests made by parties to this matter, the procedural schedule in this docket has been modified on more than one occasion. Currently, the matter is set for hearing to commence on January 17, 2008. Pre-filed testimony is due to be filed on December 14, 2007, and January 7, 2008. The deadline for discovery is currently set at January 11, 2008, and a pre-hearing conference is set for January 14, 2008.

On November 19, 2007, Staff filed a Motion to Continue, requesting an extension of the due date for Staff's testimony in this matter by approximately thirty days and requesting that all

¹ On August 29, 2007, SRP filed a Notice of Withdrawal of Intervention. By Procedural Order issued September 28, 2007, SRP was granted leave to withdraw its intervention.

1 remaining procedural due dates be rescheduled appropriately.

2 On November 23, 2007, Sempra filed Applicant's Response to Staff's Motion to Continue.
3 Therein, Sempra states that in view of the circumstances described in Staff's Motion to Continue,
4 Sempra does not object to Staff's request, provided that all other procedural event dates set forth in
5 the September 28, 2007, Procedural Order be extended by thirty days, and that the hearing be held on
6 or about February 15, 2008.

7 On November 27, 2008, New West filed its Response to Staff's Motion to Continue. New
8 West states that it has no objection to the Motion to Continue. New West also states that it concurs
9 with Sempra's request that the hearing be held on or around February 15, 2008, at which time New
10 West's witnesses are available.

11 A telephonic procedural conference should be scheduled for discussion of available dates for
12 continuation of the hearing in this matter.

13 IT IS THEREFORE ORDERED that a **telephonic procedural conference** shall be convened
14 in this matter on **November 30, 2007, at 1:00 p.m.**, or as soon thereafter as is practical. Parties shall
15 call **602-542-9004** in order to participate.

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

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

20 Dated this 27th day November, 2007

21
22
23 
24 TEENA WOLFE
25 ADMINISTRATIVE LAW JUDGE
26
27
28

1 Copies of the foregoing mailed/delivered
2 this 21st day of November, 2007 to:

3 Gregg Bass
4 SEMPRA ENERGY SOLUTIONS
5 101 Ash Street, HQ09
6 San Diego, CA 92101-3017

7 Lawrence V. Robertson
8 P.O. Box 1448
9 Tubac, AZ 85646
10 Attorney for Sempra Energy Solutions LLC

11 Michael W. Patten
12 J. Matthew Derstine
13 ROSHKA, DEWULF & PATTEN
14 400 East Van Buren Street, Suite 800
15 Phoenix, AZ 85004
16 Attorneys for Tucson Electric Power Company

17 Michelle Livengood
18 TUCSON ELECTRIC POWER COMPANY
19 One South Church Street, Suite 200
20 Tucson, AZ 85702

21 Thomas L. Mumaw
22 Deborah R. Scott
23 PINNACLE WEST CAPITAL CORPORATION
24 400 North 5th Street
25 P.O. Box 53999, MS 8695
26 Phoenix, AZ 85072-3999

27 Robert J. Metli
28 Kristoffer P. Kieffer
SNELL & WILMER, LLP
One Arizona Center
Phoenix, AZ 85004
Attorneys for Arizona Public Service Company

C. Webb Crockett
Patrick J. Black
FENNEMORE CRAIG, PC
3003 North Central Avenue, #2600
Phoenix, AZ 85012
Attorneys for Air Liquide Industrial U.S. LP

Michael M. Grant
GALLAGHER & KENNEDY, PA
2575 East Camelback Road
Phoenix, AZ 85016-9225
Attorney for Arizona Investment Council

Gary Yaquinto, President & CEO
ARIZONA INVESTMENT COUNCIL
2100 North Central Avenue, Suite 210
Phoenix, AZ 85004

Scott S. Wakefield
RESIDENTIAL UTILITY
CONSUMER OFFICE
1110 West Washington Street, Suite 200
Phoenix, AZ 85007

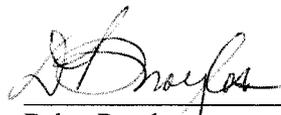
Kenneth C. Sundlof, Jr.
JENNINGS, STROUSS & SALMON
The Collier Center, 11th Floor
201 East Washington Street
Phoenix, AZ 85004-2385
Attorneys for New West Energy Corporation.

Kelly J. Barr
Jana Brandt
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT
Regulatory Affairs and Contracts
P.O. Box 25025 – MS PAB221
Phoenix, AZ 85072-2025

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ 85007

ARIZONA REPORTING SERVICE, INC.
2200 North Third Street, Suite 502
Phoenix, AZ 85004-1481

By: 
Debra Broyles
Secretary to Teena Wolfe