

ORIGINAL



0000094370

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

- KRISTIN K. MAYES, Chairman
- GARY PIERCE
- PAUL NEWMAN
- SANDRA D. KENNEDY
- BOB STUMP

2009 MAR -9 A 9:26

Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION
DOCKET CONTROL

MAR -9 2009

DOCKETED BY	
-------------	--

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY FOR A HEARING TO DETERMINE THE FAIR VALUE OF THE UTILITY PROPERTY OF THE COMPANY FOR RATEMAKING PURPOSES, TO FIX A JUST AND REASONABLE RATE OF RETURN THEREON, TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN.

DOCKET NO. E-01345A-08-0172

PROCEDURAL ORDER

BY THE COMMISSION:

On March 24, 2008, Arizona Public Service Company ("APS") filed with the Arizona Corporation Commission ("Commission") an application for a rate increase.

On January 23, 2009, APS filed a Notice of Settlement Discussions.

On January 30, 2009, APS filed a Motion to Suspend Procedural Schedule.

On February 4, 2009, a Procedural Order was issued which granted a 30 day extension and ordered that the parties make a filing prior to the end of the 30 day suspension period.

On March 5, 2009, APS filed a Motion to Further Suspend the Procedural Schedule. In its Motion, APS stated that the parties have held settlement meetings on January 30, February 3, 5, 10, 18, 25 and March 2, 2009. APS stated that some progress has been made in defining and narrowing the issues and requested that the suspension of the procedural schedule be extended for an additional 30 days. APS also agreed that the "time clock" for processing the rate case should be suspended for an additional 30 days and represented that no party has expressed opposition to an additional suspension of either the procedural schedule or the "time clock."

It is reasonable to allow the parties additional time for settlement discussions and therefore, the Motion should be granted. APS and/or the Commission's Utilities Division Staff ("Staff") should make a filing prior to the end of the 30 day suspension period, updating the Commission on the status

1 of the settlement discussions and making any appropriate procedural recommendations.

2 IT IS THEREFORE ORDERED that the Motion filed by APS is hereby granted and the
3 procedural schedule and time clock for processing this application is hereby suspended for an
4 additional 30 days.

5 IT IS FURTHER ORDERED that APS and/or Staff shall make a filing in this docket prior to
6 the end of the 30 day suspension period, updating the Commission on the status of the settlement
7 discussions and making any appropriate procedural recommendations.

8 DATED this 9th day of March, 2009.

9
10
11 
12 LYN FARMER
CHIEF ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
14 This 9th day of March, 2009 to:

15 Thomas Mumaw
ARIZONA PUBLIC SERVICE COMPANY
16 P.O. Box 53999
Phoenix, AZ 85072-3999

UDALL & SCHWAB, P.L.C.
501 East Thomas Road
Phoenix, AZ 85012-3205
Attorneys for the Town of Wickenburg

17 Michael L. Kurtz
Kurt J. Boehm
18 BOEHM, KURTZ & LOWRY
36 East Seventh Street, Suite 1510
19 Cincinnati, OH 45202
Attorneys for The Kroger Company

Timothy M. Hogan
ARIZONA CENTER FOR LAW
IN THE PUBLIC INTEREST
202 East McDowell Road, Suite 153
Phoenix, AZ 85004
Attorney for Western Resource Advocates
and Southwest Energy Efficiency Project

20 C. Webb Crockett
Patrick J. Black
21 FENNEMORE CRAIG P.C.
3003 North Central Avenue, Suite 2600
22 Phoenix, AZ 85012-2913
Attorneys for Freeport-McMoRan Copper
23 & Gold, Inc. and AECC

Daniel Pozefsky, Chief Counsel
RESIDENTIAL UTILITY CONSUMER OFFICE
1110 West Washington Street, Suite 220
Phoenix, AZ 85007

24 Lawrence V. Robertson, Jr.
ATTORNEY AT LAW
25 P.O. Box 1448
Tubac, AZ 85646
26 Attorney for Mesquite/SWPG/Bowie

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

27 Michael A. Curtis
William P. Sullivan
28 CURTIS, GOODWIN, SULLIVAN,

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

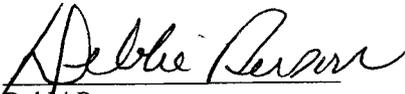
1 Jay Moyes
Karen E. Nally
2 MOYES STOREY
1850 N. Central Ave., Suite 1100
3 Phoenix, AZ 85004-0001
Attorneys for Az-Ag Group
4
Jeffrey J. Woner
5 K.R. SALINE & ASSOC., PLC
160 North Pasadena, Suite 101
6 Mesa, AZ 85201
7
Scott Canty, General Counsel
THE HOPI TRIBE
8 P.O. Box 123
Kykotsmovi, AZ 86039
9
Cynthia Zwick
10 1940 E. Luke Ave
Phoenix, AZ 85016
11
Nicholas J. Enoch
12 LUBIN & ENOCH, P.C.
349 N. Fourth Avenue
13 Phoenix, AZ 85003
Attorney for IBEW Locals 387, 640 and 769
14
Kurt J. Boehm
15 BOEHM KURTZ & LOWRY
36 E. Seventh Street, Suite 1510
16 Cincinnati, OH 45202
17
John William Moore, Jr.
18 7321 N. 16th Street
Phoenix, AZ 85020
19
Karen S. White
20 Air Force Utility Litigation &
Negotiation Team
21 AFLOA/JACL-UTL
139 Barnes Dr.
22 Tyndall AFB, FL 32403
23
Douglas V. Fant
LAW OFFICES OF DOUGLAS V. FANT
24 3655 W. Anthem Dr., Suite A-109, PMB 411
Anthem, AZ 85068
25
Barbara Wyllie-Pecora
26 27458 N. 129th Dr.
Peoria, AZ 85383
27
28

Carlo Dal Monte
CATALYST PAPER COMPANY
65 Front Street, Suite 201
Nanaimo, BC V9R 5H9

Janice Alward, Chief Counsel, Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007-2927

Ernest Johnson, Director, Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007-2927

By:



Debbi Person
Assistant to Lyn Farmer