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BEFORE THE ARIZONA CORPORATION COMMISSION

2009 MAY -7 P 3: 15

Arizona Corporation Commission

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MAY - 7 2009

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

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION
OF TRICO ELECTRIC COOPERATIVE, INC.,
AN ARIZONA NONPROFIT
CORPORATION, FOR A PERMANENT
RATE INCREASE, FOR A
DETERMINATION OF THE FAIR VALUE
OF THE CORPORATION'S ELECTRIC
SYSTEM FOR RATE MAKING PURPOSES,
FOR A FINDING OF A JUST AND
REASONABLE RATE OF RETURN
THEREON AND A JUST AND
REASONABLE RETURN, AND FOR
APPROVAL OF RATE SCHEDULES
DESIGNED TO DEVELOP SUCH RETURN.

Docket No. E-01461A-08-0430

**REQUEST OF FREEPORT-
MCMORAN SIERRITA INC. TO
BE EXCUSED FROM
ATTENDING THE PRE-
HEARING CONFERENCE AND
HEARING TO BE HELD IN
CONNECTION WITH THIS
MATTER**

Freeport-McMoRan Sierrita Inc. ("Freeport-McMoRan") files this request to be excused from attending the Pre-Hearing Conference in this matter scheduled for May 18, 2009, and from attending the Hearing in this matter scheduled to commence on May 20, 2009 for the reason that a review of the Testimony and Exhibits filed by the Applicant and the Staff of the Arizona Corporation Commission ("Staff") does not disclose a need for Freeport-McMoRan to attend either the Pre-Hearing Conference or the Hearing.

Counsel for Freeport-McMoRan has the approval of the client to file this request and has informed Russell E. Jones, Counsel for the Applicant, by telephone of Freeport-McMoRan's intent not to attend either the Pre-Hearing Conference or Hearing in connection with this matter. Mr. Jones did not express any objection.

Freeport-McMoRan desires to remain on the Service List in this matter and to continue to receive all pleadings, notices, and documents that are filed in this proceeding.

1 Freeport-McMoRan respectfully requests that the Commission grant this Request
2 To Be Excused from Attending the Pre-Hearing Conference and Hearing To Be Held in
3 Connection with this Matter.

4 RESPECTFULLY SUBMITTED this 7th day of May 2009.

5 FENNEMORE CRAIG, P.C.

6 

7 By C. Webb Crockett
8 Patrick J. Black
9 3003 N. Central Avenue, Ste. 2600
10 Phoenix, AZ 85012-2913
11 Attorneys for Freeport-McMoRan Sierrita Inc.

12 **ORIGINAL** and **13 COPIES** of the foregoing
13 **FILED** this 7th day of May 2009 with:

14 Docket Control
15 ARIZONA CORPORATION COMMISSION
16 1200 West Washington
17 Phoenix, Arizona 85007

18 **COPY** of the foregoing was **HAND-DELIVERED/**
19 **MAILED/*E-MAILED** this 7th day of May 2009 to:

20 *Lyn Farmer
21 Chief Administrative Law Judge
22 Hearing Division
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