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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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Arizona Corporation Commission  
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IN THE MATTER OF THE APPLICATION OF  
 UNS ELECTRIC, INC. FOR THE  
 ESTABLISHMENT OF JUST AND REASONABLE  
 RATES AND CHARGES DESIGNED TO  
 REALIZE A REASONABLE RATE OF RETURN  
 ON THE FAIR VALUE OF THE PROPERTIES OF  
 UNS ELECTRIC, INC. DEVOTED TO ITS  
 OPERATIONS THROUGHOUT THE STATE OF  
 ARIZONA AND REQUEST FOR APPROVAL OF  
 RELATED FINANCING.

DOCKET NO. E-04204A-06-0783

PROCEDURAL ORDER

BY THE COMMISSION:

On December 5, 2008, Marshall Magruder filed a Formal Complaint with the Arizona Corporation Commission ("Commission") against UNS Electric, Inc. ("UNSE"), in which he alleged that UNSE failed to comply with provisions of Decision Nos. 70360 (May 27, 2008) (UNSE's last rate case), 61793 (June 29, 1999) (dismissing Complaint brought by the City of Nogales against Citizens Utilities' ("Citizens")), and 62011 (November 2, 1999) (approving settlement agreement between Citizens and the Commission's Utilities Division ("Staff") regarding Citizens' Plan of Action ("POA") to rectify service problems in Santa Cruz County).<sup>1</sup>

By Procedural Orders dated March 16, 2009, filed in the Complaint Docket (E-04204A-08-0589) and this docket, the Hearing Division directed Staff to meet with the parties in an attempt to resolve the disputes, after which Staff would file a report of its findings and recommendations. As the matter appeared to involve compliance with the last rate case, the Complaint docket was held in abeyance pending Staff's report.

On June 18, 2009, Staff filed a Status Update and Request for Continuance. Staff reported

<sup>1</sup> Docket No. E-04204A-08-0589.

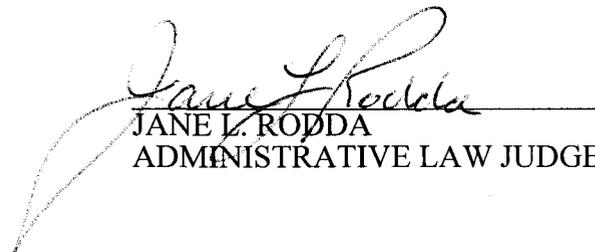
1 that after a June 5, 2009 conference call with Mr. Magruder and counsel for UNSE, the parties agreed  
2 to a course of action under which the Company would meet with Mr. Magruder, after which there  
3 would be a second conference with Staff. Staff requests that a status conference be scheduled in  
4 approximately 30 days. All parties agree to Staff's request.

5 IT IS THEREFORE ORDERED that a **Procedural Conference** for the purpose of  
6 determining the **status of Staff's investigation** and any further action regarding the matters raised in  
7 the Complaint filed by Mr. Magruder on December 5, 2008, **shall commence on July 16, 2009**, at  
8 **the Commissions Tucson offices, Room 222**, 400 West Congress, Tucson, Arizona.

9 IT IS FURHTER ORDERED that the due date of the Staff Report ordered pursuant to the  
10 March 16, 2009 Procedural Order shall be continued indefinitely pending further order.

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

13 DATED this 26<sup>th</sup> day of June, 2009.

  
JANE L. RODDA  
ADMINISTRATIVE LAW JUDGE

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17  
18 Copies of the foregoing mailed  
this 26<sup>th</sup> day of June, 2009 to:

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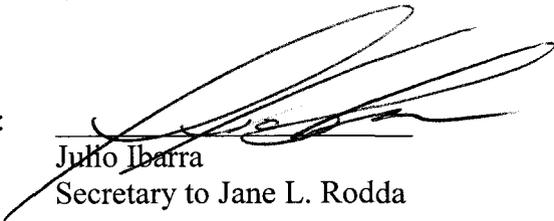
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24 Secretary to Jane L. Rodda  
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