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BEFORE THE ARIZONA CORPORATION COMMISSION

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2009 JUL -9 P 3:17

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

JUL -9 2009

DOCKETED BY [Signature]

IN THE MATTER OF THE UNS GAS, 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 GAS, INC. DEVOTED
TO ITS OPERATIONS THROUGHOUT THE
STATE OF ARIZONA

DOCKET NO. G-04204A-08-0571

**PROCEDURAL ORDER REQUIRING
PUBLIC NOTICE OF PUBLIC
COMMENT MEETINGS IN
PRESCOTT, FLAGSTAFF, AND
NOGALES, ARIZONA.**

BY THE COMMISSION:

On November 7, 2008, UNS Gas, Inc. ("UNS Gas" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a rate increase.

On December 8, 2008, the Commission's Utilities Division ("Staff") filed its Letter of Sufficiency indicating that UNS Gas satisfied the requirements of Arizona Administrative Code ("A.A.C.") R14-2-103 and classifying the Company as a Class A utility.

By Procedural Order issued January 7, 2009, this matter was set for hearing to commence on August 10, 2009, at 9:30 a.m., at the Commission's offices in Phoenix, Arizona.

The Commission has determined that additional local public comment meetings should be held in several locations within the UNS Gas service area. As set forth in more detail below, the public comment meetings will be held in Prescott, Flagstaff, and Nogales, Arizona and UNS Gas should be required to publish notice of such meetings. The Prescott and Flagstaff public comment sessions will be conducted in conjunction with public comment scheduled in the pending Arizona Public Service Company rate application (Docket No. E-01345A-08-0172).

IT IS THEREFORE ORDERED that public comment meetings are hereby scheduled for the following dates:

...

Flagstaff, AZ
Monday, August 3, 2009
6:00 p.m.

County Board of Supervisors Conference Room
Administrative Center
219 E. Cherry
Flagstaff, AZ 86001

Prescott, AZ
Thursday, August 6, 2009
6:00 p.m.

Prescott City Hall Council Chambers
201 S. Cortez
Prescott, AZ 86301

Nogales, AZ
Monday, August 17, 2009
6:00 p.m.

Nogales City Hall Chambers
777 N. Grand Ave.
Nogales, AZ 85261

IT IS FURTHER ORDERED that UNS Gas¹ shall provide public notice of the above public comment meetings in this matter, in the following form and style, with the heading no less than 24 point bold type and the body no less than 10 point regular type:

NOTICE OF PUBLIC COMMENT MEETING
UNS GAS, INC.'S APPLICATION
FOR A PERMANENT BASE RATE INCREASE
(DOCKET NO. G-04204A-08-0571)

On November 7, 2008, UNS Gas, Inc. ("UNS Gas" or "Company") filed an application with the Arizona Corporation Commission ("Commission") for a permanent base rate gross revenue increase of \$9,480,876, or 17.92 percent over current revenues. For residential customers (R10), the Company's application requests an increase in the fixed monthly customer charge from the current \$8.50 rate to \$10.00, with subsequent increases in the customer charge to \$12.00 one year later and to \$14.00 two years later. Under the Company's proposal, the usage charge applicable to customer bills would increase initially, but would then decline in the second and third years as the fixed monthly charge increases. The initial level of authorized overall revenues would remain the same until adjusted by the Commission.

Copies of UNS' application are available at the Company's office at **INSERT COMPANY'S ADDRESS AND PHONE NUMBER** and the Commission's offices at 1200 West Washington, Phoenix, AZ, for public inspection during regular business hours and on the internet via the Commission website (www.azcc.gov) using the eDocket function.

¹ The public comment meetings in Flagstaff and Prescott will also include public comments on the APS electric rate proceeding (Docket No. E-01345A-08-0172). APS and UNS Gas are authorized to combine their public notices into one notice that includes the required information about each matter, so that the public is aware that the public comment meeting will take comment on both matters.

1 **The Commission will hold a PUBLIC COMMENT MEETING on this matter**
2 **ON [INSERT DATE, TIME, AND LOCATION].**

3 **Written public comments** may also be submitted via email (visit
4 http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf for
instructions), or by mailing a letter referencing Docket No. G-04204A-08-0571
to: Arizona Corporation Commission, Consumer Services Section, 1200 West
Washington, Phoenix, AZ 85007.

5 The Commission does not discriminate on the basis of disability in admission to
6 its public meetings. Persons with disability may request a reasonable
7 accommodation such as a sign language interpreter, as well as request this
documentation in an alternative format, by contacting the ADA Coordinator,
8 Guadalupe Ortiz, voice phone number 602-542-3931, Email: gnortiz@azcc.gov.
Requests should be made as early as possible to allow time to arrange the
9 accommodation.

10 **IT IS FURTHER ORDERED that UNS Gas shall cause the above notices to be published**
11 **at least twice in a newspaper of local circulation in the area of each public comment meeting,**
12 **with publications to be completed no later than August 8, 2009.**

13 **IT IS FURTHER ORDERED that UNS Gas shall file certification of publication** as soon as
14 practicable after the publications have been completed, but **not later than August 17, 2009.**

15 **IT IS FURTHER ORDERED** that notice shall be deemed complete upon publication of same,
16 notwithstanding the failure of a customer to read the notice.

17 **IT IS FURTHER ORDERED** that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
18 Communications) continues to apply to this proceeding and shall remain in effect until the
19 Commission's Decision in this matter is final and non-appealable.

20 **IT IS FURTHER ORDERED** that the time periods specified herein shall not be extended
21 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

22 **IT IS FURTHER ORDERED** that all parties must comply with Rules 31 and 38 of the Rules
23 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*
24 *hac vice*.

25 **IT IS FURTHER ORDERED** that withdrawal of representation must be made in compliance
26 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
27 Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to
28 appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter

1 is scheduled for discussion, unless counsel has previously been granted permission to withdraw by
2 the Administrative Law Judge or the Commission.

3 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
4 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
5 hearing.

6 DATED this 9th day of July, 2009.



DWIGHT D. NODES
ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing were mailed/delivered
11 This 9th day of July, 2009 to:

12
13 Raymond S. Heyman
14 Phillip J. Dion
15 Michelle Livengood
UNISOURCE ENERGY SERVICES
One South Church Avenue, Suite 200
Tucson, AZ 85701

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

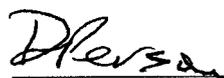
16 Michael W. Patten
17 Jason D. Gellman
18 ROSHKA DEWULF & PATTEN, PLC
19 One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, AZ 85004

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

20 Nicholas J. Enoch
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Phoenix, AZ 85004

23 Daniel Pozefsky, Chief Counsel
24 RESIDENTIAL UTILITY CONSUMER
OFFICE
25 1110 West Washington Street, Suite 220
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By: 
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Assistant to Dwight D. Nodes

26 Cynthia Zwick
27 1940 East Luke Avenue
Phoenix, AZ 85016