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BEFORE THE ARIZONA CORPORATION COMMISSION

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ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

COMMISSIONERS

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

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, AND 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 May 11, 2009, a Procedural Order was issued establishing procedural dates and setting the matter for hearing to commence on August 19, 2009.

On September 21, 2009, at the conclusion of the hearing, the deadline for parties' initial briefs was set for October 9, 2009, and the deadline for reply briefs was set for October 16, 2009.

On October 8, 2009, Staff filed a Motion to Extend the Time to File its Initial Brief and for an Extension of the Deadline for Reply Briefs ("Motion").

Staff's Motion indicated that due to its workload and unexpected matters related to the Commission's budget, it needs additional time to prepare its initial brief. Staff requested an extension until October 16, 2009. Staff also requested that the filing of reply briefs for all parties be extended to October 23, 2009. Although Staff's Motion characterized reply briefs as "optional," the parties were directed to file reply briefs if they objected to or disagreed with something contained in an initial brief. So, in the event that a party does disagree with a statement or argument contained in an initial brief, that party is obligated to file a reply brief. Such reply briefs are necessary for the Commission to fully understand each party's position on disputed issues.

1 IT IS THEREFORE ORDERED that Staff's Motion is hereby granted, with the clarification  
2 that reply briefs are not necessarily optional.

3 IT IS FURTHER ORDERED that Staff's initial brief shall be filed with the Commission's  
4 Docket Control Center no later than noon on October 16, 2009.

5 IT IS FURTHER ORDERED that reply briefs shall be filed with the Commission's Docket  
6 Control Center no later than noon on October 23, 2009.

7 IT IS FURTHER ORDERED that no additional extensions of time will be granted.<sup>1</sup>

8 DATED this 9<sup>th</sup> day of October, 2009.

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10   
11 LYN FARMER  
CHIEF ADMINISTRATIVE LAW JUDGE

12 Copies of the foregoing mailed/delivered  
13 This 9<sup>th</sup> day of October, 2009 to:

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

Michael A. Curtis  
William P. Sullivan  
CURTIS, GOODWIN, SULLIVAN,  
UDALL & SCHWAB, P.L.C.  
501 East Thomas Road  
Phoenix, AZ 85012-3205  
Attorneys for the Town of Wickenburg

16 Michael L. Kurtz  
Kurt J. Boehm  
17 BOEHM, KURTZ & LOWRY  
36 East Seventh Street, Suite 1510  
18 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

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

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

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

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

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27  
28 <sup>1</sup> The Commission's Open Meeting on this matter is tentatively scheduled for the week of December 7, 2009, and the presiding ALJ will be out of the office from December 14-24, 2009.

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

Barbara Wyllie-Pecora  
27458 N. 129<sup>th</sup> Dr.  
Peoria, AZ 85383

3 Jay Moyes  
Karen E. Nally  
4 MOYES STOREY  
1850 N. Central Ave., Suite 1100  
5 Phoenix, AZ 85004-0001  
Attorneys for Az-Ag Group

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

6 Jeffrey J. Woner  
7 K.R. SALINE & ASSOC., PLC  
160 North Pasadena, Suite 101  
8 Mesa, AZ 85201

Steve Morrison  
SCA TISSUE NORTH AMERICA  
14005 West Old Highway 66  
Bellemont, AZ 86015

9 Scott Canty, General Counsel  
THE HOPI TRIBE  
10 P.O. Box 123  
Kykotsmovi, AZ 86039

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

11 Cynthia Zwick  
12 1940 E. Luke Ave  
Phoenix, AZ 85016

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

13 Nicholas J. Enoch  
14 LUBIN & ENOCH, P.C.  
349 N. Fourth Avenue  
15 Phoenix, AZ 85003  
Attorney for IBEW Locals 387, 640 and 769

By:   
Debbi Person  
Assistant to Lyn Farmer

16 Kurt J. Boehm  
17 BOEHM KURTZ & LOWRY  
36 E. Seventh Street, Suite 1510  
18 Cincinnati, OH 45202

19 John William Moore, Jr.  
20 7321 N. 16<sup>th</sup> Street  
Phoenix, AZ 85020

21 Karen S. White  
22 Air Force Utility Litigation &  
Negotiation Team  
23 AFLOA/JACL-UTL  
139 Barnes Dr.  
24 Tyndall AFB, FL 32403

25 Douglas V. Fant  
LAW OFFICES OF DOUGLAS V. FANT  
26 3655 W. Anthem Dr., Suite A-109, PMB 411  
Anthem, AZ 85068