



0000113977

ORIGINAL

254

BEFORE THE ARIZONA UTILITIES REGULATION COMMISSION

DOCKETED

RECEIVED

1  
2 WILLIAM A. MUNDELL  
3 CHAIRMAN  
4 JIM IRVIN  
5 COMMISSIONER  
6 MARC SPITZER  
7 COMMISSIONER

AUG 01 2002

2002 AUG -1 A 11: 35

DOCKETED BY *CMC*

AZ CORP COMMISSION  
DOCUMENT CONTROL

8 IN THE MATTER OF THE UNIVERSITY OF  
9 ARIZONA'S PETITION FOR DECLARATORY  
10 ORDER DIRECTING TUCSON ELECTRIC  
11 POWER COMPANY TO MAKE AVAILABLE  
12 ALL ELECTRIC RATES FOR WHICH THE  
13 UNIVERSITY QUALIFIES.

DOCKET NO. E-01933A-02-0388

PROCEDURAL ORDER

9 **BY THE COMMISSION:**

10  
11 On May 23, 2002, the University of Arizona ("U of A") filed with the Commission the above-  
12 captioned Petition for Declaratory Order, in which the U of A requests that the Commission enter an  
13 order directing TEP to permit the U of A to purchase power pursuant to TEP Pricing Plans PRS-104,  
14 PRS-105 and PRE-106 ("U of A Petition").

15 On June 13, 2002, TEP filed an Answer to the U of A Petition.

16 Pursuant to a Procedural Order dated June 19, 2002, the Commission convened a Procedural  
17 Conference on June 25, 2002, to *inter alia* address a procedural schedule. At the June 25, 2002  
18 Procedural Conference, the parties to above-captioned matter indicated that they were engaged in  
19 settlement discussions and suggested that they file a status report by July 17, 2002. By Procedural  
20 Order dated July 10, 2002, another status conference was held on July 19, 2002. The parties  
21 indicated that they were close to resolving all issues, but requested that the Commission set the matter  
22 for hearing in an attempt to avoid an addition status conference in case they could not reach a full  
23 settlement. The parties agreed that the U of A would file an Amended Petition on July 23, 2002, and  
24 that TEP would have until August 12, 2002, to file an answer, counterclaim or cross claim. The  
25 parties agreed that a hearing could be held on September 20, 2002, in Tucson, if a hearing is required.  
26 The parties stated at the July 19, 2002 Procedural Conference that unless they reached a settlement  
27  
28

1 (of which they would promptly notify the Commission), they would present the Hearing Division  
2 with suggested procedural dates for testimony and discovery deadlines.

3 The record does not reflect that the U of A filed an Amended Petition. Neither have the  
4 parties filed a notice that they've reached a settlement.

5 IT IS THEREFORE ORDERED that the hearing in this matter shall commence September  
6 20, 2002, at 10:00 a.m., or as soon thereafter as is practical, at the Commission's offices, Room 131,  
7 400 W. Congress, Tucson, Arizona.

8 IT IS FURTHER ORDERED that the parties shall file a status report and/or proposed hearing  
9 guidelines by August 14, 2002.

10 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
11 Communications) applies to this proceeding as the matter is now set for public hearing.

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

14 DATED this 31<sup>st</sup> day of July, 2002.

15

16

17

18

  
\_\_\_\_\_  
JANE RODDA  
ADMINISTRATIVE LAW JUDGE

19

20

Copies of the foregoing mailed/delivered  
this 31<sup>st</sup> day of July, 2002 to:

21

Raymond S. Heyman  
Michael W. Patten  
ROSHKA HEYMAN & DEWULF, PLC  
400 E. Van Buren, Suite 800  
Phoenix, Arizona 85004  
Attorneys for Tucson Electric Power Co.  
[Rheyman@rhd-law.com](mailto:Rheyman@rhd-law.com)

22

Steve Glaser  
Senior Vice President and COO/UDC  
Tucson Electric Power Company  
P.O. Box 711  
Mail Stop: OH203  
Tucson, AZ 85702

23

24

25

26

27

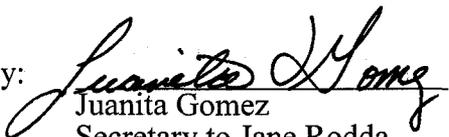
28

1 Andrew D. Hurwitz  
Joan S. Burke  
2 OSBORN MALEDON, PA  
2929 North Central Avenue, Ste. 2100  
3 Phoenix, AZ 85012-2794  
Attorneys for the University of Arizona

4 Christopher Kempley, Chief Counsel  
ARIZONA CORPORATION COMMISSION  
5 1200 W. Washington Street  
Phoenix, Arizona 85007

6 Ernest G. Johnson, Utilities Division  
7 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
8 Phoenix, Arizona 85007

9 ARIZONA REPORTING SERVICE, INC.  
2627 N. Third Street, Suite Three  
10 Phoenix, Arizona 85004-1104

11 By:   
12 Juanita Gomez  
13 Secretary to Jane Rodda  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28