



0000129563

ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

DOCKETED

SEP 13 2011

2 COMMISSIONERS

3 GARY PIERCE - Chairman
4 BOB STUMP
5 SANDRA D. KENNEDY
6 PAUL NEWMAN
7 BRENDA BURNS

2011 SEP 13 P 3: 21

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY [Signature]

8 IN THE MATTER OF THE APPLICATION OF
9 ARIZONA PUBLIC SERVICE COMPANY FOR A
10 HEARING TO DETERMINE THE FAIR VALUE
11 OF THE UTILITY PROPERTY OF THE
12 COMPANY FOR RATEMAKING PURPOSES, TO
13 FIX A JUST AND REASONABLE RATE OF
14 RETURN THEREON, AND TO APPROVE RATE
15 SCHEDULES DESIGNED TO DEVELOP SUCH
16 RETURN.

DOCKET NO. E-01345A-11-0224

PROCEDURAL ORDER

12 BY THE COMMISSION:

13 On June 1, 2011, Arizona Public Service Company (“APS” or “Company”) filed with the
14 Arizona Corporation Commission (“Commission”) an application to determine the fair value of the
15 utility property of the Company for ratemaking purposes, to fix a just and reasonable rate of return
16 thereon, and to approve rate schedules designed to develop such return.

17 A procedural conference was held on July 18, 2011, to discuss the procedural schedule for
18 this matter. During the procedural conference, the Residential Utility Consumer Office (“RUCO”)
19 requested that the “settlement discussion period start no earlier than November 30th.”¹

20 On July 29, 2011, a Rate Case Procedural Order was issued setting the matter for hearing and
21 establishing other procedural dates, including RUCO’s unopposed request for a November 30, 2011
22 date for commencement of settlement discussions.

23 On August 12, 2011, Staff filed a Request for Clarification of the July 29, 2011 Procedural
24 Order (“Motion”). In its Motion, Staff seeks clarification of the date on which the parties may
25 commence settlement discussions. Staff requests that “the parties should have the flexibility to
26 commence discussions before November 30, 2011, if they are able and so desire.”

28 ¹ Tr. at 16.

1 On September 6, 2011, APS filed its Response to the Motion and stated that it fully supports
2 the Motion and that the Motion should be granted.

3 On September 8, 2011, the Arizona Investment Council filed its Response in support of
4 Staff's Motion.

5 RUCO has not opposed Staff's Motion, and accordingly, the Motion should be granted.

6 On August 26, 2011, Local Union 387, International Brotherhood of Electrical Workers,
7 AFL-CIO, CLC ("IBEW Local 387"), Local Union 640, International Brotherhood of Electrical
8 Workers, AFL-CIO, CLC ("IBEW Local 640"), and Local Union 769, International Brotherhood of
9 Electrical Workers, AFL-CIO, CLC ("IBEW Local 769") filed an application to intervene.

10 To date, no objections have been filed and accordingly, IBEW Local 387, IBEW Local 640,
11 and IBEW Local 769 should be granted intervention.

12 IT IS THEREFORE ORDERED that Staff's Motion to Clarify the July 29, 2011 Rate Case
13 Procedural Order is hereby granted, and the parties may commence any settlement discussions prior
14 to November 30, 2011, if they so desire.

15 IT IS FURTHER ORDERED that IBEW Local 387, IBEW Local 640, and IBEW Local 769
16 are hereby granted intervention.

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

20 DATED this 13th day of September, 2011.

21
22 
23 LYN FARMER
CHIEF ADMINISTRATIVE LAW JUDGE

24 Copies of the following mailed/delivered
25 this 13th day of September, 2011 to:

26 Meghan H. Grabel
27 Thomas L. Mumaw
28 PINNACLE WEST CAPITAL CORPORATION
P.O. Box 53999, MS 8695
Phoenix, AZ 85072-3999

C. Webb Crockett
Patrick J. Black
FENNEMORE CRAIG
3003 North Central Ave., Suite 2600
Phoenix, AZ 85012-2913
Attorneys for Freeport-McMoRan and AECC

1 Daniel Pozefsky, Chief Counsel
 RESIDENTIAL UTILITY CONSUMER OFFICE
 1110 West Washington Street, Suite 220
 2 Phoenix, AZ 85007-2958

3 Michael A. Curtis
 William P. Sullivan
 4 CURTIS, GOODWIN, SULLIVAN UDALL & SCHWAB,
 P.L.C.
 5 501 East Thomas Road
 Phoenix, AZ 8 5012-3205
 6 Attorneys for the Town of Wickenburg and Town of
 Gilbert

7
 8 Barbara Wyllie-Pecora
 14410 West Gunsight Drive
 9 Sun City West, AZ 85375

10 Timothy M. Hogan
 ARIZONA CENTER FOR LAW IN THE
 PUBLIC INTEREST
 11 202 East McDowell Road, Suite 153
 Phoenix, AZ 85004
 12 Attorney for Western Resource Advocates and
 Southwest Energy Efficiency Project

13
 14 David Berry
 WESTERN RESOURCE ADVOCATES
 P.O. Box 1064
 15 Scottsdale, AZ 85252-1064

16 Kurt J. Boehm
 BOEHM, KURTZ & LOWRY
 17 36 East 7th Street, Suite 1510
 Cincinnati, OH 45202
 18 Attorneys for Kroger Co.

19 Jeffrey W. Crockett
 BROWNSTEIN, HYATT, FARBER SCHRECK, LLP
 20 1 E. Washington St., Suite 2400
 Phoenix, AZ 85004
 21 Attorney for Arizona Association of Realtors

22 John William Moore, Jr.
 7321 North 16th Street
 23 Phoenix, AZ 85020

24 Cynthia Zwick
 1940 East Luke Avenue
 25 Phoenix, AZ 85016

26 Michael W. Patten
 ROSHKA DEWULF & PATTEN PLC
 27 One Arizona Center
 400 East Van Buren Street, Suite 800
 28 Phoenix, AZ 85004

Attorney for TEP
 Bradley Carroll
 TUCSON ELECTRIC POWER CO.
 One South Church Avenue, Suite UE 201
 Tucson, AZ 85701

Michael M. Grant
 GALLAGHER & KENNEDY
 2575 East Camelback Road
 Phoenix, AZ 85016-9225
 Attorneys for AIC

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

Karen S. White
 Air Force Utility Law Field Support Center
 AFLOA/JACL-ULFSC
 139 Barnes Drive
 Tyndall AFB, FL 32403
 Attorney for FEA

Greg Patterson
 MUNGER CHADWICK
 2398 East Camelback Road, Suite 240
 Phoenix, AZ 85016
 Attorney for ACPA

Nicholas J. Enoch
 LUBIN & ENOCH, P.C.
 349 N. 4th Avenue
 Phoenix, AZ 85003
 Attorney for IBEW Locals 387, 640 and 769

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

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

By:



Debbi Person
 Assistant to Lyn Farmer