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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION  
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COMMISSIONERS

GARY PIERCE - Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

IN THE MATTER OF THE APPLICATION OF  
MOHAVE ELECTRIC COOPERATIVE, INC. FOR  
APPROVAL OF A WASTE-TO-ENERGY  
FACILITY AS A PILOT PROGRAM UNDER THE  
RENEWABLE ENERGY RULES OR, IN THE  
ALTERNATIVE, FOR A LIMITED WAIVER.

DOCKET NO. E-01750A-10-0453

PROCEDURAL ORDER

**BY THE COMMISSION:**

On November 5, 2010, Mohave Electric Cooperative, Inc. ("Mohave"), filed with the Arizona Corporation Commission ("Commission") an application for approval of a waste-to-energy facility as a pilot program under the renewable energy rules or, in the alternative, for a limited waiver.

Intervention was granted to the Sierra Club - Grand Canyon Chapter ("Sierra Club") and Solomon Industries LLC ("Solomon").

On July 25, 2011, the Commission issued Decision No. 72500 approving the Company's application.

On August 12, 2011, Sierra Club filed an Application for Rehearing.

On August 23, 2011, Mohave filed a Response to the Application for Rehearing and Alternative Request for A.R.S. § 40-252 Proceeding.

On August 24, 2011, at an Open Meeting of the Commission, the Commission granted Sierra Club's Application for Rehearing.

On September 13, 2011, a Procedural Order was issued setting a rehearing to commence on November 28, 2011 and setting associated procedural deadlines.

On October 24, 2011, Mohave filed a Notice of Filing Affidavit of Publication and Motion to Require the Sierra Club to Pay Publication Costs.

On October 25, 2011, Sierra Club filed a Motion for a One Day Postponement in the Hearing ("Motion"). The Motion states that counsel for Sierra Club has a conflict on November 28, 2011

1 with a proceeding scheduled in Maricopa County Superior Court, and requests that the evidentiary  
2 portion of the rehearing be continued to November 29, 2011. The Motion indicates that Staff and  
3 Mohave do not object to the request.

4 Good cause is shown and accordingly, Sierra Club's Motion should be granted.

5 Because notice of the rehearing has been published, the rehearing proceeding will convene as  
6 scheduled on November 28, 2011, at 10:00 a.m., solely for the purpose of taking public comment,  
7 and the evidentiary portion of the proceeding will commence on November 29, 2011, at 10:00 a.m.

8 IT IS THEREFORE ORDERED that the **rehearing currently scheduled for November 28,**  
9 **2011, shall convene as scheduled solely for the purpose of taking public comments.**

10 IT IS FURTHER ORDERED that the **evidentiary portion of the rehearing proceeding**  
11 **shall commence on November 29, 2011, at 10:00 a.m., or as soon thereafter as practicable,** at the  
12 Commission's offices, 1200 West Washington Street, **Hearing Room No. 1,** Phoenix, Arizona  
13 85007.

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

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 28<sup>th</sup> day of October, 2011.

21  
22   
23 TEENA JIBILIAN  
24 ADMINSTRATIVE LAW JUDGE

25 ...  
26 ...  
27 ...  
28 ...

1 Copies of the foregoing mailed/delivered  
this 28<sup>th</sup> day of October, 2011 to:

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