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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

2011 DEC -1 A 10:48

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

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DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
MOHAVE ELECTRIC COOPERATIVE,
INCORPORATED, AN ELECTRIC
COOPERATIVE NONPROFIT MEMBERSHIP
CORPORATION, FOR A DETERMINATION OF
THE FAIR VALUE OF ITS PROPERTY FOR
RATEMAKING PURPOSES, TO FIX A JUST AND
REASONABLE RETURN THEREON AND TO
APPROVE RATES DESIGNED TO DEVELOP
SUCH RETURN.

DOCKET NO. E-01750A-11-0136

PROCEDURAL ORDER

BY THE COMMISSION:

On March 30, 2011, Mohave Electric Cooperative, Incorporated ("MEC" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a determination of the fair value of its property for ratemaking purposes, to fix a just and reasonable return thereon, and to approve rates designed to develop such return.

On April 27, 2011 MEC filed a letter stating that the Company agreed to waive the time clock for determining the sufficiency of its rate application.

On May 27, 2011, MEC filed Supplemental Direct Testimony and Schedules with Calendar Year 2010 data.

On June 27, 2011, the Commission's Utilities Division ("Staff") filed its Letter of Sufficiency indicating that MEC's application satisfied the requirements of Arizona Administrative Code ("A.A.C.") R14-2-103 and classifying the Company as a Class A utility.

On June 27, 2011, Staff filed a Proposed Procedural Schedule for Filing Dates.

On July 1, 2011, Staff filed Revised Proposed Schedule for Filing Dates which recommended a compressed schedule compared to the original proposed schedule.

By Procedural Order issued July 15, 2011, the evidentiary hearing was scheduled to

1 commence on March 19, 2012, and other procedural filing deadlines were established.

2 On November 18, 2011, Staff filed a Request for extension of Time to File Testimony and for
3 Waiver of Time Clock. Staff stated that it did not have sufficient time to meet the November 30,
4 2011, testimony filing deadline due to the need for additional information from MEC. Staff therefore
5 proposed an alternative procedural schedule that included rescheduling the hearing date to begin May
6 3, 2011.

7 On November 22, 2011, MEC filed an Opposition to Staff's Request for Extension of Time.
8 The Company claimed that it had timely responded to Staff's requests for information and that any
9 delays were due to Staff's actions. MEC suggested a two-week extension of Staff's filing deadline,
10 but maintaining the current hearing date.

11 On November 22, 2011, MEC and Staff initiated a telephonic conference call with the
12 Administrative Law Judge to discuss the extension request. During the conference call, the parties
13 tentatively agreed to an alternative procedural schedule, subject to final confirmation of exact dates.

14 On November 30, 2011, MEC and Staff filed a Joint Revised Procedural Schedule.

15 The revised procedural schedule is reasonable and shall be adopted, except that the pre-
16 hearing conference will be rescheduled for April 6, 2011, at 10:00 a.m., and the hearing will be
17 rescheduled to commence on April 9, 2011, at 10:00 a.m. Additional hearing days will be scheduled
18 and held, as necessary, on April 10, 11, 12, 13, 16, 17, and 18, 2012.¹

19 IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter is hereby
20 **rescheduled to begin on April 9, 2012, at 10:00 a.m., Hearing Room No. 1**, at the Commission's
21 offices, 1200 West Washington Street, Hearing Room No. 1, Phoenix, Arizona 85007.

22 IT IS FURTHER ORDERED that a **pre-hearing conference shall be rescheduled for April**
23 **6, 2012, at 10:00 a.m.**, for the purpose of scheduling witnesses and the conduct of the hearing.

24 IT IS FURTHER ORDERED that **the current noticed hearing date of March 19, 2012,**
25 **shall be maintained for the taking of public comment only.**

26 IT IS FURTHER ORDERED that **the applicable time clock shall be extended for an**
27

28 ¹ There is a possibility that no hearing will be held on April 12, 2012, due to a scheduled Commission Open Meeting.

1 **additional 24 days.**

2 IT IS FURTHER ORDERED that **the procedural schedule established by the July 15,**
3 **2011, Procedural Order shall be vacated, and the following modified procedural schedule shall**
4 **be observed by the parties:**

5	Staff Direct Testimony (Except Rate Design)	January 12, 2012
6	Staff Rate Design Testimony	January 31, 2012
7	Company Rebuttal Testimony	February 23, 2012
8	Staff Surrebuttal Testimony	March 13, 2012
9	Company Rejoinder Testimony	March 30, 2012

10 IT IS FURTHER ORDERED that in all other respects, the July 15, 2011, Procedural Order
11 shall remain in full force and effect.

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

15 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
16 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
17 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
18 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
19 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
20 Administrative Law Judge or the Commission.

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

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

26 ...

27 ...

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

4 DATED this 15th day of December, 2011.

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7 

8 DWIGHT D. NODES
9 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered
11 This 15th day of December, 2011 to:

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13 William P. Sullivan
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24
25 By: 
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