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2011 DEC 22 P 4: 10

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

DEC 22 2011

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BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE COMPLAINT OF
BUREAU OF INDIAN AFFAIRS, UNITED
STATES OF AMERICA, AGAINST
MOHAVE ELECTRIC COOPERATIVE,
INC. AS TO SERVICES TO THE
HAVASUPAI AND HUALAPAI INDIAN
RESERVATIONS.

DOCKET NO. E-01750A-05-0579

**SETTLEMENT STATUS REPORT
AND JOINT REQUEST FOR
ADDITIONAL TIME**

Diyari Cave LLP
Two North Central Avenue, Suite 2200
Phoenix, Arizona 85004-4406
(602) 364-7000

The Bureau of Indian Affairs ("BIA") and Mohave Electric Cooperative, Inc. ("MEC"), by and through their counsel undersigned, hereby notify the Commission that they have made substantial progress in negotiating the terms of a stipulated Recommended Opinion and Order On Rehearing ("ROO") to be submitted to Administrative Law Judge Teena Jibilian. It is anticipated that the stipulated ROO will document the settlement reached between the parties (in lieu of a separate settlement agreement). Certain portions of the parties' settlement involve the incorporation of new systems that are being installed on the subject 70-mile Line, including a TWAC system that will allow remote reading of meters located on the Line. This and other issues have expanded the time necessary to complete the proposed amendments to the ROO. The interim operational and payment steps that have been the subject of prior Commission orders remain in place, and the Line has remained in operation without disputes during this settlement period.

A second reason justifying a brief continuance of the settlement filing deadline is the necessity of consulting with the Hualapai and Havasupai Tribes on the settlement points.

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1 The BIA informs us that the consultation process with the Tribes is not completed as of this
2 date.

3 For the foregoing reasons, BIA and MEC jointly request the Commission to extend
4 the deadline for filing the executed stipulation and proposed form of revised ROO on
5 Rehearing setting forth the parties' settlement agreement from December 22, 2011 to
6 January 31, 2012.

7
8 RESPECTFULLY SUBMITTED this 22nd day of December, 2011.

9 DENNIS K. BURKE
10 United States Attorney
11 District of Arizona

12 By  (with permission)
13 MARK J. WENKER
14 Assistant U.S. Attorney
15 Attorneys for the Bureau of Indian Affairs

16 BRYAN CAVE LLP

17
18 By 
19 Steven A. Hirsch, #006360
20 Rodney W. Ott, #016686
21 Two N. Central Avenue, Suite 2200
22 Phoenix, AZ 85004-4406
23 Attorneys for Mohave Electric
24 Cooperative, Inc.

25 **ORIGINAL and 13 COPIES** of the
26 foregoing were hand-delivered for
27 filing this 22nd day of December, 2011, to:

28 Docket Control
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

DiYall Cave LLP
Two North Central Avenue, Suite 2200
Phoenix, Arizona 85004-4406
(602) 364-7000

1
2 **COPY** of the foregoing hand-delivered
3 this 22nd day of December, 2011, to:

4 Hearing Division
5 Arizona Corporation Commission
6 1200 W. Washington
7 Phoenix, AZ 85007-2927

8 Janice Alward
9 Legal Division
10 Arizona Corporation Commission
11 1200 W. Washington Street
12 Phoenix, AZ 85007

13 Mark J. Wenker
14 U.S. Attorney's Office
15 40 N. Central Avenue, Suite 1200
16 Phoenix, AZ 85004-4408
17 Attorneys for the Bureau of Indian Affairs

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