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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

2011 DEC 23 P 12: 22

DOCKETED

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

AZ CORP COMMISSION DOCKET CONTROL

DEC 23 2011

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY FOR A HEARING TO DETERMINE THE FAIR VALUE OF THE UTILITY PROPERTY OF THE COMPANY FOR RATEMAKING PURPOSES, TO FIX A JUST AND REASONABLE RATE OF RETURN THEREON, AND TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN.

DOCKET NO. E-01345A-11-0224

PROCEDURAL ORDER

BY THE COMMISSION:

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

On December 22, 2011, the Commission's Utilities Division ("Staff") filed a Request for a Modification to the Procedural Schedule ("Request"). In its Request, Staff requested extending the date of filing the Settlement Agreement until January 6, 2012 and also stated that the parties had agreed to the following minor changes to the current procedural schedule:

- Testimony in Support or Opposition to Settlement Agreement January 18, 2012
- Responsive Testimony January 25, 2012
- Hearing Begins January 26, 2012

Good cause is shown and accordingly, Staff's Request should be granted.¹

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter is hereby rescheduled to commence on January 26, 2012, at 1:00 p.m., at the Commission's offices, 1200

¹ The hearing will commence on January 26, 2012 and continue January 27, 30, 31, February 1, 2, 3, 2012. February 6 - 15, 2012 will not be available for hearing dates, and additional hearing dates may need to be scheduled thereafter.

1 West Washington Street, Hearing Room No. 1, Phoenix, Arizona 85007.

2 IT IS FURTHER ORDERED that the **previously noticed January 19, 2012, hearing date**
3 **shall be held for the purpose of taking public comment, commencing at 10:00 a.m.**

4 IT IS FURTHER ORDERED that **any settlement agreement shall be filed no later than**
5 **4:00 p.m. on January 6, 2012.**

6 IT IS FURTHER ORDERED that the **pre-hearing conference is rescheduled to commence**
7 **at the conclusion of public comments on January 19, 2012.**

8 IT IS FURTHER ORDERED that **in the event that a settlement agreement is reached, all**
9 **parties shall file testimony either in support or in opposition to the settlement agreement, on or**
10 **before January 18, 2012.**

11 IT IS FURTHER ORDERED that **in the event that a settlement agreement is reached, all**
12 **parties shall file responsive testimony on or before noon on January 25, 2012.**

13 IT IS FURTHER ORDERED that **in the event that no settlement agreement is reached,**
14 **rebuttal testimony and associated exhibits to be presented at hearing by APS shall be reduced**
15 **to writing and filed on or before January 6, 2012.**

16 IT IS FURTHER ORDERED that **in the event that no settlement agreement is reached,**
17 **surrebuttal testimony and associated exhibits to be presented by Staff or intervenors shall be**
18 **reduced to writing and filed on or before on January 20, 2012.**

19 IT IS FURTHER ORDERED that **in the event that no settlement agreement is reached,**
20 **any rejoinder testimony and associated exhibits to be presented at the hearing on behalf of APS**
21 **shall be reduced to writing and filed no later than January 24, 2012.**

22 IT IS FURTHER ORDERED that all other provisions of the July 29, 2011, procedural order
23 remain in effect.

24 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
25 31, 38, and 42 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

26 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
27 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
28 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances

1 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
2 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
3 Administrative Law Judge or the Commission.

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

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

10 DATED this 23rd day of December, 2011.

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12 
13 LYN FARMER
CHIEF ADMINISTRATIVE LAW JUDGE

14 Copies of the following mailed/delivered
15 this 23rd day of December, 2011 to:

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