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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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Arizona Corporation Commission

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JAN 6 2012

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IN THE MATTER OF THE PETITION OF
COLUMBUS ELECTRIC COOPERATIVE, INC.,
FOR A DECLARATORY ORDER.

DOCKET NO. E-01851A-11-0415

PROCEDURAL ORDER

BY THE COMMISSION:

On November 18, 2011, Columbus Electric Cooperative, Inc. ("Columbus" or "Cooperative") filed with the Arizona Corporation Commission ("Commission") a Petition requesting a Declaratory Order confirming that A.R.S. §§ 40-301, 40-302, 40-303 and 40-285, are not applicable to Columbus ("Declaratory Petition"). In addition, without waiving its position that Commission approval is not required, Columbus requested that the Commission retroactively approve three secured loan applications and related mortgages previously entered into with the United State Department of Agriculture, Rural Utility Service ("RUS") through refinancing or reissuance of debt through the National Rural Utilities Cooperative Finance Corporation ("CFC") ("Refinance Request").

Columbus and the Commission's Utility Division ("Staff") participated in a telephonic Procedural Conference on January 5, 2012. Columbus requested that the Commission consider its Refinance Request as quickly as possible in order to take advantage of current low interest rates and stated that its Declaratory Petition, which may require research and legal briefs, was less time sensitive. The parties agreed that the Commission could bifurcate the request, with the Refinancing Request being addressed first, and the Declaratory Petition being addressed following a Commission Order in Phase I. The Administrative Law Judge, understanding Staff's limited personnel resources and heavy workload, requested that Staff attempt to expedite the Refinancing Request to the extent possible. It was also agreed that the parties should work together and file a proposed mutually agreeable schedule for the processing of the Declaratory Petition.

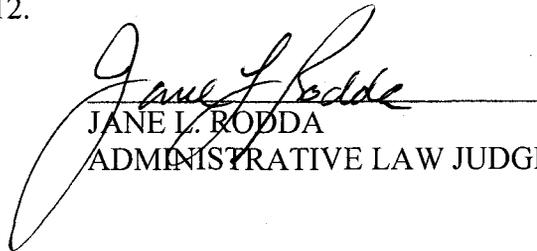
1 IT IS THEREFORE ORDERED that this matter is bifurcated with the Refinancing Request
2 being addressed in Phase I,¹ and the Declaratory Petition being addressed in Phase II following a
3 Commission Order in Phase I.

4 IT IS FURTHER ORDERED that the parties shall use their best efforts to propose, and file
5 for approval, a mutually agreeable procedural schedule for the processing of Phase II.²

6 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized
7 Communications) continues to apply to this proceeding and shall remain in effect until the
8 Commission’s Decision in Phase II in this matter is final and non-appealable.

9 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
10 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

11 DATED this 5th day of January, 2012.

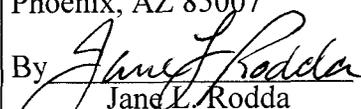

JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

14 Copies of the foregoing mailed
15 this 5th day of January, 2012 to:

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By 
Jane L. Rodda

¹ Legal counsel for the Utilities Division committed to talking to Utilities Division Staff to see if the Refinancing Request could be expedited.

² The Parties may also request a Procedural Conference in the event they are at an impasse.