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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF MORENCI WATER AND ELECTRIC COMPANY FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. E-01049A-11-0300

IN THE MATTER OF THE APPLICATION OF MORENCI WATER AND ELECTRIC COMPANY FOR THE ESTABLISHMENT OF JUST AND REASONABLE RATES FOR ITS WATER DEPARTMENT.

DOCKET NO. W-01049A-11-0311

PROCEDURAL ORDER
(extends procedural schedule)

BY THE COMMISSION:

By Procedural Order dated November 30, 2011, these matters were consolidated, a procedural schedule was established with a hearing set for August 20, 2012, and the deadline for a final order pursuant to A.A. C. R14-2-103 determined to be November 30, 2012.

On January 10, 2012, the Arizona Corporation Commission ("Commission") Utility Division ("Staff") filed a Motion to Suspend the Time Clock. Staff stated that Morenci Water and Electric Company ("MWE" or "Company") had been unable to respond to Staff's data requests in a timely manner which has impacted Staff's ability to conduct its review and analysis. Staff requested, with Morenci's consent, a 90 day continuation of the procedural schedule and suspension of the time clock.

Given the circumstances, the request is reasonable and should be granted.

IT IS THEREFORE ORDERED that the procedural schedule, including hearing dates, final deadline and public notice as set forth in our November 30, 2011 Procedural Order, are modified as set forth herein.

IT IS FURTHER ORDERED that the hearing in this matter is hereby re-scheduled to commence on November 28, 2012, at 10:00 a.m., or as soon thereafter as is practical, at the

1 Commission's Tucson offices **400 West Congress, Room 222, Tucson, Arizona 85701.**

2 IT IS FURTHER ORDERED that a **telephonic pre-hearing conference** shall commence on
3 **November 20, 2012, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's Tucson
4 offices 400 West Congress, **Room 218**, Tucson, Arizona 85701. Parties should contact the Hearing
5 Division at 602 542-4250, prior to the date of the pre-hearing conference to obtain instructions for
6 telephonic participation.

7 IT IS FURTHER ORDERED that **direct testimony** and associated exhibits (except that
8 related to rate design and cost of service) to be presented at hearing on behalf of **Staff and**
9 **intervenors** shall be reduced to writing and filed on or before **July 27, 2012.**

10 IT IS FURTHER ORDERED that **direct testimony** and associated exhibits **related to rate**
11 **design and cost of service** to be presented at hearing on behalf of **Staff and intervenors** shall be
12 reduced to writing and filed on or before **August 10, 2012.**

13 IT IS FURTHER ORDERED that **rebuttal testimony** and associated exhibits to be presented
14 at hearing by the **Company** shall be reduced to writing and filed on or before **September 24, 2012.**

15 IT IS FURTHER ORDERED that any **surrebuttal testimony** and associated exhibits to be
16 presented by **Staff or intervenors** shall be reduced to writing and filed on or before **October 24,**
17 **2012.**

18 IT IS FURTHER ORDERED that any **rejoinder testimony and associated exhibits** to be
19 presented at hearing by the **Company** shall be reduced to writing and filed on or before **November**
20 **16, 2012.**

21 IT IS FURTHER ORDERED that any **objections to testimony or exhibits that have been**
22 **prefiled shall be made before, or at, the November 20, 2012, pre-hearing conference.**

23 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
24 except that **all motions to intervene must be filed on or before July 15, 2012.**

25 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
26 regulations of the Commission, except that until October 15, 2012, any objection to discovery
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1 requests shall be made within 7 calendar days of receipt¹ and responses to discovery requests shall be
2 made within 10 calendar days of receipt. Thereafter, objections to discovery requests shall be made
3 within 5 calendar days and responses shall be made within 7 calendar days. The response time may
4 be extended by mutual agreement of the parties involved if the request requires an extensive
5 compilation effort.

6 IT IS FURTHER ORDERED that the Company shall modify the form of Public Notice
7 established in the November 30, 2011, Procedural Order to include the revised dates for the hearing
8 and intervention provided herein.

9 IT IS FURTHER ORDERED that MWE shall **mail** to each of its customers a copy of the
10 modified notice, (may be included as a bill insert) **such mailing to be completed by March 31,**
11 **2012,** and shall cause a copy of such notice to be **published** at least once in a newspaper of local
12 circulation in the Company's service territories, with **publication to be completed no later than**
13 **March 31, 2012.**

14 IT IS FURTHER ORDERED that **MWE shall file certification of mailing/publication** as
15 soon as practicable after the mailing/publication has been completed.

16 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing of same,
17 notwithstanding the failure of an individual customer to read or receive the notice.

18 IT IS FURTHER ORDERED that the **deadline for a final order** in this matter pursuant to
19 A.A.C. R14-2-103 shall be extended until **February 28, 2013.**

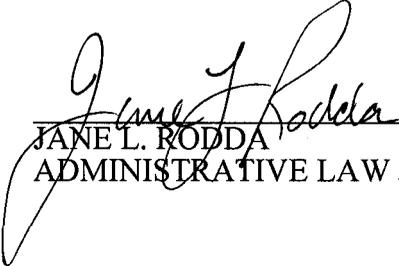
20 IT IS FURTHER ORDERED that all provisions of the November 30, 2011 Procedural Order
21 that have not been modified herein shall remain in force and effect.

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28 ¹ The date of receipt of discovery requests is not counted as a calendar day, and requests received after 4:00 p.m. MST will be considered as received the next business day.

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 January, 2012.

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6 
7 JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

8 Copies mailed this ___ day
9 of January, 2012 to:

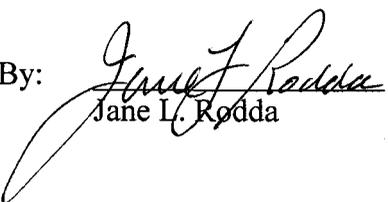
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23 By:


Jane L. Rodda