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BEFORE THE ARIZONA CORPORATION

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Arizona Corporation Commission

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AZ CORP COMMISSION
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COMMISSIONERS

BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

IN THE MATTER OF THE APPLICATION OF
COLUMBUS ELECTRIC COOPERATIVE, INC.
FOR AN INCREASE IN RATES AND FOR
OTHER RELATED APPROVALS.

DOCKET NO. E-01851A-13-0252

RATE CASE
PROCEDURAL ORDER

BY THE COMMISSION:

On July 23, 2013, Columbus Electric Cooperative, Inc. ("CEC" or "Cooperative") filed with the Arizona Corporation Commission ("Commission") an Application for a rate increase.

On August 21, 2013, the Commission's Utilities Division ("Staff") notified the Cooperative that its application was sufficient pursuant to A.A.C. R14-2-103.B.7, and classified CEC as a Class C utility.

The same date, Staff filed a Request for Procedural Order and recommended dates for the filing of testimony and a hearing. Staff states that the Cooperative is aware of the proposed dates and has no objections.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall commence on **March 6, 2014, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, **Room 222, 400 West Congress, Tucson, Arizona 85701.**

IT IS FURTHER ORDERED that any **direct testimony (except that related to rate design and cost of service)** and associated exhibits to be presented at hearing on behalf of **Staff** or **Intervenors** shall be reduced to writing and filed on or before **December 6, 2013.**

1 IT IS FURTHER ORDERED that any **direct testimony related rate design and cost of**
2 **service** and associated exhibits to be presented at hearing on behalf of **Staff and Intervenors** shall be
3 reduced to writing and filed on or before **December 20, 2013**.

4 IT IS FURTHER ORDERED that any **rebuttal testimony** and associated exhibits to be
5 presented at hearing by the **Cooperative** shall be reduced to writing and filed on or before **January**
6 **20, 2014**.

7 IT IS FURTHER ORDERED that any **surrebuttal testimony** and associated exhibits to be
8 presented by the Staff and/or intervenors shall be reduced to writing and filed on or before **February**
9 **18, 2014**.

10 IT IS FURTHER ORDERED that any **rejoinder testimony** and associated exhibits to be
11 presented at the hearing by the Cooperative shall be reduced to writing and filed on or before
12 **February 28, 2014**.

13 IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to
14 pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is
15 scheduled to testify.

16 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-
17 105, except that all motions to intervene must be filed **on or before November 29, 2014**.

18 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
19 regulations of the Commission, except that through **January 31, 2014**, any objection to discovery
20 requests shall be made within 7 days¹ of receipt and responses to discovery requests shall be made
21 within 10 days of receipt; thereafter, objections to discovery requests shall be made within 5 days and
22 responses shall be made in 7 days;¹ the response time may be extended by mutual agreement of the
23 parties involved if the request requires an extensive compilation effort.

24 IT IS FURTHER ORDERED that, in the alternative to filing a written motion to compel
25 discovery, any party seeking discovery may telephonically contact the Commission's Hearing
26 Division to request a date for a procedural hearing to resolve the discovery dispute; that upon such a
27

28 ¹ "Days" means calendar days.

1 request, a procedural hearing will be convened as soon as practicable; and that the party making such
 2 a request shall forthwith contact all other parties to advise them of the hearing date and shall at the
 3 hearing provide a statement confirming that the other parties were contacted.²

4 IT IS FURTHER ORDERED that any motions filed in this matter that are not ruled upon by
 5 the Commission within 20 days of the filing date of the motion shall be deemed denied.

6 IT IS FURTHER ORDERED that any responses to motions shall be filed within five days of
 7 the filing date of the motion.

8 IT IS FURTHER ORDERED that any replies shall be filed within five days of the filing date
 9 of the response.

10 IT IS FURTHER ORDERED that the Company shall provide public notice of the hearing in
 11 this matter, in the following type size, form and style with the heading in no less than 14 point bold
 12 type and the body in no less than 10-point regular type:

13 **PUBLIC NOTICE OF HEARING ON THE**
 14 **RATE APPLICATION OF**
 15 **COLUMBUS ELECTRIC COOPERATIVE, INC.**
 16 **Docket No. E-01851A-13-0252**

17 On July 23, 2013, Columbus Electric Cooperative, Inc. ("CEC" or "Cooperative")
 18 filed an application with the Arizona Corporation Commission ("Commission") in
 19 which CEC is seeking Commission approval for an increase in rates and to set a new
 20 base cost of power; a revision to the Fuel and Purchased Power Cost Adjustor; a
 21 Temporary Fuel and Purchased Power Cost Adjustor Surcharge; new Line and Service
 22 Extension Schedules and Forms; and certain tariff revisions. The proposed changes to
 rates would result in an increase in annual revenues from Arizona customers of
 \$21,590, or 2.57 percent. The increase will vary between customer classes and among
 individual consumers within a class depending on usage. Under the rates proposed by
 the Cooperative, the residential customer charge would increase \$7.65, from \$12.35 to
 \$20.00, and the energy charge would increase \$0.02867 per kWh, from \$0.0864 to
 \$0.11507 per kWh.

23 The Commission's Utilities Division Staff has not yet made a recommendation
 24 regarding the Company's rate proposal, and the Commission will determine the
 25 appropriate rate relief to be granted based on the evidence of record in this proceeding.
 26 The Commission is not bound by the proposals made by the Cooperative, Staff, or any
 intervenors and, therefore, the final rates approved in this docket may be lower or
 higher than the rates described above.

27 _____
 28 ² The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations
 before seeking Commission resolution of the controversy.

1 **How You Can View or Obtain a Copy of the Rate Proposal**

2 If you have any questions concerning how the Company's rate proposal will affect
3 your bill or have other substantive questions about this application, you may contact
4 the Company at: [COMPANY SHOULD INSERT NAME, ADDRESS,
5 TELEPHONE NUMBER, AND E-MAIL ADDRESS FOR CUSTOMER
6 CONTACTS CONCERNING THE APPLICATION]. Copies of the application
7 and proposed tariffs are available at the Company's offices and at the Commission's
8 Docket Control Center at 1200 West Washington, Phoenix, Arizona and its Tucson
9 offices, 400 West Congress, Suite 218, Tucson, Arizona, and on the internet via the
10 Commission website ([/www.azcc.gov/](http://www.azcc.gov/)) using the e-docket function.

11 **Public Hearing Information**

12 The Commission will hold a **hearing** on this matter beginning **March 6, 2014, at**
13 **10:00 a.m.**, at the Commission's offices, Room 222, 400 West Congress, Tucson,
14 Arizona, 85701.

15 Public comments will be taken at the beginning of the hearing. Written public
16 comments may be submitted by mailing a letter referencing Docket No. W-01851A-
17 13-0252 to Arizona Corporation Commission, Consumer Services Section, 1200 West
18 Washington, Phoenix, AZ 85007, or by email. For a form to use and instructions on
19 how to e-mail comments to the Commission, go to
20 <http://www.azcc.gov/divisions/utilities/forms/PublicCommentForm.pdf>. If you
21 require assistance, you may contact the Consumer Services Section at 1-800-222-7000
22 or (520) 628-6550.

23 **About Intervention**

24 The law provides for an open public hearing at which, under appropriate
25 circumstances, interested parties may intervene. Any person or entity entitled by law
26 to intervene and having a direct and substantial interest in the matter will be permitted
27 to intervene. If you wish to intervene, you must file an original and 13 copies of a
28 written motion to intervene with the Commission no later than **November 29, 2013**,
and a copy of the motion to CEC or its counsel and to all parties of record. Your
motion must contain the following:

1. Your name, address, and telephone number and the name, address and telephone number of any party upon whom service of documents is to be made, if not yourself.
2. A short statement of your interest in the proceeding (e.g., a customer of the Cooperative, etc.).
3. A statement certifying that you have mailed a copy of the motion to intervene to the Cooperative or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before November 29, 2013. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to

1 intervene will not preclude any interested person or entity from appearing at the
2 hearing and providing public comment on the application or from filing written
3 comments in the record of the case.

4 **ADA/Equal Access Information**

5 The Commission does not discriminate on the basis of disability in admission to its
6 public meetings. Persons with a disability may request a reasonable accommodation
7 such as a sign language interpreter, as well as request this document in an alternative
8 format, by contacting the ADA Coordinator Shaylin Bernal, E-mail
9 SABernal@azcc.gov, voice phone number 602/542-3931. Requests should be made
10 as early as possible to allow time to arrange the accommodation.

11 IT IS FURTHER ORDERED that the Cooperative shall **mail** to each of its Arizona customers
12 a copy of the above notice by **October 31, 2013**, and shall cause the above notice to be published at
13 least once in a newspaper of local circulation in its Arizona service territory, with **publication** to be
14 completed no later than **October 31, 2013**.

15 IT IS FURTHER ORDERED that the Cooperative shall file certifications of mailing and
16 publication as soon as practicable after they have been completed.

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

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

23 IT IS FURTHER ORDERED that all parties must comply with Rule 33 (c) and (d) of the
24 Rules of the Arizona Supreme Court with respect to practice of law and admission pro hac vice.

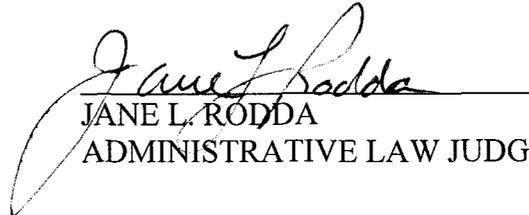
25 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
26 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
27 Rules of the Arizona Supreme Court). Representation before the Commission includes the obligation
28 to appear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

IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
pursuant to Rule 6(a) or (3) of the Rules of Civil Procedure.

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

DATED this 29th day of August, 2013.


JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

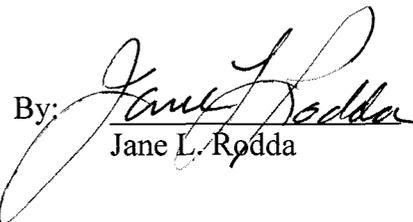
Copies of the foregoing mailed this 29th day of August, 2013 to:

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Post Office Box 631
Deming, New Mexico 88031-0631

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By: 
Jane L. Rodda