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BEFORE THE 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 FORMAL COMPLAINT  
OF ROGER AND DARLENE CHANTEL,

DOCKET NO. E-01750A-09-0149

COMPLAINANTS,

v.

MOHAVE ELECTRIC COOPERATIVE, INC.,

RESPONDENT.

**PROCEDURAL ORDER**  
**(Vacates Procedural Conference)**

**BY THE COMMISSION:**

On March 24, 2009, Roger and Darlene Chantel ("Chantels" or "Complainants") filed a formal complaint ("Complaint") with the Arizona Corporation Commission ("Commission") against Mohave Electric Cooperative, Inc. ("MEC" or "Company"). MEC filed its Response to Formal Complaint and Motion to Dismiss on April 10, 2009.

A Procedural Order docketed on July 28, 2009, denied MEC's Motion to Dismiss.

On July 12, 2013, MEC filed a Motion to Reconsider Motion to Dismiss Formal Complaint ("Motion to Reconsider").

On August 14, 2013, the Chantels docketed three separate pleadings: 1) Complainants' Response to Procedural Order Issued by Administrative Law Judge Belinda A. Martin, 2) Complainants' Response to Mohave Electric Cooperative's Motion to Reconsider Motion to Dismiss Formal Complaint, and 3) Motion to Transfer Issues in Complaint to the Citizens' Jurisdiction ("Motion to Transfer").

On August 26, 2013, MEC filed its Objection Complainants' Response to Procedural Order, Reply to Complainants' Response to Motion to Reconsider Motion to Dismiss Formal Complaint, and Response to Complainants' "Motion to Transfer Issues in Complaint to the Citizens' Jurisdiction."

1 On September 4, 2013, the Chantels docketed a Motion to Enforce Arizona Administrative  
2 Codes R14-2-211(A)(5)(6), R14-2-202(B)(1)(2), R14-2-208(A)(1) and (F)(1), and provided a  
3 proposed form of Judicial Order (“Motion to Enforce”).

4 On September 9, 2013, a Procedural Order was docketed setting a procedural conference for  
5 September 25, 2013, for the purpose of taking oral arguments on MEC’s Motion to Dismiss and  
6 Motion to Reconsider and the Chantels’ Motion to Transfer and the Motion to Enforce. The  
7 Procedural Order also directed MEC to file a response to the Chantels’ Motion to Enforce by  
8 September 23, 2013.

9 On September 16, 2013, the Chantels filed a Motion to Postpone Most of the Issues at the  
10 Hearing on September 25, 2013 (“Motion to Postpone”), and a Motion to Hear Issues on the  
11 Emergency Notice of Action Submitted to Steven Olea of the Arizona Corporation Commission  
12 (“Motion to Hear Issues”). In their Motion to Postpone, the Complainants assert that the parties plan  
13 to conduct an inspection of MEC’s lines along Highway 66 and request that most of the issues to be  
14 heard at the September 25, 2013, proceeding be postponed pending results of the inspection. Instead,  
15 in their Motion to Hear Issues, the Chantels request that the Emergency Notice of Action<sup>1</sup> be heard  
16 on that day.

17 In the interest of administrative efficiency, it is reasonable to vacate the September 25, 2013,  
18 procedural conference.

19 **IT IS THEREFORE ORDERED that the September 25, 2013, procedural conference is**  
20 **hereby vacated.**

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

24 ...

25 ...

26 ...

27 \_\_\_\_\_  
28 <sup>1</sup> The Chantels included their “Emergency Notice of Action” as an attachment to their Response to Mohave Electric Cooperative’s Motion to Reconsider Motion to Dismiss Formal Complaint.

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

4 DATED this 23<sup>rd</sup> day of September, 2013.

5   
6 BELINDA A. MARTIN  
7 ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed  
9 this 23<sup>rd</sup> day of September, 2013, to:

10 Roger and Darlene Chantel  
11 10001 East Highway 66  
12 Kingman, AZ 86401

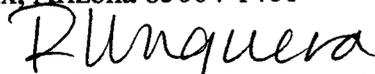
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