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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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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, COMPLAINANTS, v. MOHAVE ELECTRIC COOPERATIVE, INC., RESPONDENT.	DOCKET NO. E-01750A-09-0149 **PROCEDURAL ORDER** **(Setting Procedural Conference)**

BY THE COMMISSION:

On March 24, 2009, Roger and Darlene Chantel ("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.

On October 30, 2013, a Procedural Order was docketed setting a telephonic procedural conference for November 19, 2013, at 10:00 a.m., to address certain procedural issues. The Procedural Order advised the parties that no substantive matters would be considered during the proceeding. A toll-free telephone number was provided for the parties' use.

On November 12, 2013, the Complainants filed a Request for a Court Reporter to be Present at the November 19, 2013, Hearing/Conference, and a Motion to Move Hearing to Phoenix, Arizona.

A Procedural Order docketed November 13, 2013, denied the Complainants' Motion to Move Hearing to Phoenix, Arizona, and reiterated that only procedural issues would be addressed during the proceeding. The Procedural Order confirmed the procedural conference's date and time and the toll-free telephone number.

On November 15, 2013, the Complainants docketed a Motion to Hear Only Substantive Law of R14-2-211(A)(5)(6), R14-2-208(A)(1) and (F)(1), and a Memorandum in Support of Substantive

Law, requesting that only substantive legal issues be heard at the procedural conference.

A Procedural Order docketed November 18, 2013, denied the Complainants' Motion to Hear Only Substantive Law of R14-2-211(A)(5)(6), R14-2-208(A)(1) and (F)(1), and reiterated that only procedural matters would be addressed during the proceeding. It also advised the parties that substantive issues would be heard at the appropriate time. The Procedural Order again confirmed the procedural conference's date and time and the toll-free telephone number.

The telephonic procedural conference convened as scheduled and Larry Udall, on behalf of MEC, and Wes Van Cleve, on behalf of Commission Staff, attended telephonically. A court reporter was also present by telephone to record the proceeding. After postponing the procedural conference for 15 minutes, the Complainants did not appear telephonically or in person and the proceeding was cancelled. MEC and Commission Staff were advised that a Procedural Order would be issued setting another procedural conference for the purpose of determining whether the Complainants desire to proceed with their Complaint.

IT IS THEREFORE ORDERED that a **telephonic procedural conference shall commence on December 16, 2013, at 9:00 a.m., CALL-IN NUMBER: (888) 450-5996, PARTICIPANT NO. 457395#.** The parties may also attend in person at the Commission's Tucson offices, Room 222, 400 West Congress Street, Tucson, Arizona 85701.

IT IS FURTHER ORDERED that **the purpose of the telephonic procedural conference will be to discuss whether the Complainants wish to pursue their Complaint and, if so, to discuss scheduling. No other matters will be discussed during this procedural conference.**

IT IS FURTHER ORDERED that if the Complainants no longer wish to pursue their Complaint before the Commission, **the Complainants may file a Motion to Withdraw Complaint no later than December 9, 2013, as an alternative to attending the telephonic procedural conference.**

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IT IS FUTHER ORDERED advising the Complainants that if they fail to comply with the above Ordering Paragraphs, or with any subsequent Orders of the Commission, **SUCH FAILURE MAY ULTIMATELY RESULT IN ADMINISTRATIVE CLOSURE OF THIS DOCKET**.

IT IS FURTHER ORDERED that Commission Staff is not required to attend this telephonic procedural conference.

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

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

DATED this 21st day of November, 2013.

BELINDA A. MARTIN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed
this 21st day of November, 2013, to:

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