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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS
BOB STUMP, CHAIRMAN
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

2013 DEC 13 P 4:05

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

DEC 13 2013

DOCKETED BY

IN THE MATTER OF THE FORMAL
COMPLAINT AGAINST MOHAVE
ELECTRIC COOPERATIVE, INC.
FILED BY ROGER AND DARLENE
CHANTEL

DOCKET NO. E-01750A-09-0149

MOHAVE ELECTRIC COOPERATIVE,
INCORPORATED FILES ITS NOTICE OF
PENDING MOTIONS BEFORE THE ARIZONA
CORPORATION COMMISSION, ALONG
WITH RELATED ORDERS

For the convenience of the Administrative Law Judge in the scheduled procedural conference of December 16, 2013, Mohave Electric Cooperative, Incorporated ("MEC") files its Notice of Pending Motions before the Arizona Corporation Commission under the docketed proceeding of the Complainants' formal complaint filed on March 24, 2009.

MOTIONS

1. 7-12-2013 - MEC's Motion to Reconsider Motion to Dismiss Formal Complaint.
2. 8-14-2013 - Complainants' Motion to Transfer Issues in Complaint to Citizens' Jurisdiction (DENIED 11-13-2013).
3. 9-4-2013 - Complainants' 1) Motion to Enforce Arizona Administrative Codes R14-2-211(A)(5); R14-2-202(B)(1) and (2); and R14-2-208(A)(1) and (F)(1).
4. 9-16-2013 - Complainants' Motion to Postpone Most of the Issues at the Hearing on September 25, 2013 and Motion to Hear Issues on Emergency Notice of Action Submitted to Steven Olea.

- 1 5. 10-8-2013 - MEC's Motion for Procedural Conference on all Motions.
- 2 6. 10-16-2013 - Complainants' Request to Decline Motion for Oral
- 3 Argument, and that the ALJ Move Forward in Issuing Enforcement Order.
- 4 7. 11-15-2013 - Complainants' Motion to Hear Only Substantive Law of
- 5 R14-2-211(A)(5)(6), R14-2-202(B)(0(2), R14-2-208(A)(1) and (F)(1) (DENIED 11-18-2013).
- 6 8. 11-27-2013 - Complainants Request for Information on December 16
- 7 Conference and Request to Issue Enforcement Order.

8 **PROCEDURAL ORDERS**

- 9 1. 7-30-2013 - instruction for the filing of a Response to MEC's Motion to
- 10 Reconsider its earlier Motion to Dismiss.
- 11 2. 9-9-2013 - setting procedural conference for 9-25-2013.
- 12 3. 9-23-2013 - vacating 9-25-2013 procedural conference on Complainants'
- 13 request.
- 14 4. 10-30-2013 - setting procedural conference on 11-19-2013 without any
- 15 discussion on substantive issues.
- 16 5. 11-13-2013 - denying Motion to Move Hearing (filed 8-14-2013) and
- 17 confirmation of 11-19-2013 procedural hearing.
- 18 6. 11-18-2013 - denial of Complainants' (11-15-2013) Motion to Hear Only
- 19 Substantive Law of Administrative Rules.
- 20 7. 11-25-2013 - re-setting of telephonic procedural conference on 12-16-
- 21 2013 due to Complainants' absence.
- 22 8. 12-3-2013 - Complainants' proposed enforcement order and other
- 23 substantive issues will be addressed after the procedural conference; 12-16-2013 procedural
- 24 conference reaffirmed.

25 As the ALJ noted in the Procedural Order of October 30, 2013, the Complainants

1 stated (in their filing of October 16, 2013), that "there will be no new evidence or testimony
2 that will change the existing pleadings that have already been presented." Thus, Complainants
3 have acquiesced to a summary and dispositive ruling after oral argument on the Motions,
4 including MEC's Motion to Dismiss. Accordingly, MEC looks forward to the setting of oral
5 argument on the substantive issues and a conclusion to five years of litigation in different
6 forums with the Complainants.

7 DATED this 13th day of December, 2013.

8 CURTIS, GOODWIN, SULLIVAN,
9 UDALL & SCHWAB, P.L.C.

10
11 By: 
12 Michael A. Curtis
13 Larry K. Udall
14 501 East Thomas Road
15 Phoenix, Arizona 85012-3205
16 Attorneys for Mohave Electric
17 Cooperative, Incorporated

18 PROOF AND CERTIFICATE OF MAILING

19 I hereby certify that on this 13th day of December, 2013, I caused the foregoing
20 document to be served on the Arizona Corporation Commission by delivering the original and
21 thirteen (13) copies of the above to:

22 Docket Control
23 Arizona Corporation Commission
24 1200 West Washington
25 Phoenix, Arizona 85007

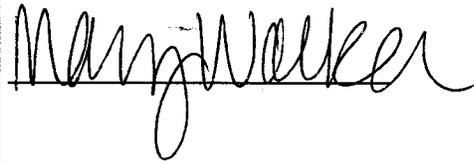
COPY of the foregoing hand-delivered
this 13th day of December, 2013 to:

Belinda A. Martin, Administrative Law Judge
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

1 Janice Alward, Legal Division
2 Arizona Corporation Commission
3 1200 West Washington
4 Phoenix, Arizona 85007

5 COPY of the foregoing mailed and e-mailed
6 this 13th day of December, 2013 to:

7 Roger and Darlene Chantel
8 10001 E. Highway 66
9 Kingman, Arizona 86401

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