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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

MAR 07 2014

DOCKETED BY

DOCKET NO. E-01345A-11-0224

ORIGINAL

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY FOR A HEARING TO DETERMINE THE FAIR VALUE OF THE UTILITY PROPERTY OF THE COMPANY FOR RATEMAKING PURPOSES, TO FIX A JUST AND REASONABLE RATE OF RETURN THEREON, AND TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN.

PROCEDURAL ORDER
(Granting Intervention and Temporary Admission Pro Hac Vice)

BY THE COMMISSION:

On June 1, 2011, Arizona Public Service Company ("APS" or "Company") filed with the Arizona Corporation Commission ("Commission") an application to determine the fair value of the utility property of the Company for ratemaking purposes, to fix a just and reasonable rate of return thereon, and to approve rate schedules designed to develop such return.

On May 24, 2012, the Commission issued Decision No. 73183, which approved the Settlement Agreement dated January 6, 2012 as discussed therein. Decision No. 73183 ordered that the record in this matter remain open to allow APS to file by December 31, 2013, an application for approval to adjust its rates to reflect the acquisition of Four Corners Units 4 and 5.

On December 30, 2013, APS filed an Application to Approve Four Corners Rate Rider in this docket.

On January 30, 2014, the Sierra Club ("Sierra Club") filed a Motion to Intervene ("Motion to Intervene"). Included in the Motion to Intervene was a request for Nellis Kennedy-Howard and Travis Ritchie to appear *pro hac vice* on a temporary basis in accordance with Arizona Supreme Court Rule 38(a).

On March 4, 2014, a Motion For Temporary Admission Pro Hac Vice ("Motion") was filed

1 on behalf of Ms. Kennedy-Howard and Mr. Ritchie. The Motion stated that Timothy Hogan will be
2 local counsel and included copies the Applications for Appearance Pro Hac Vice which had been
3 submitted to the State Bar of Arizona by Ms. Kennedy-Howard and Mr. Ritchie. The Motion
4 requested temporary admission *pro hac vice* so that Sierra Club's request to intervene could be
5 approved and discovery could commence.

6 There have been no objections filed to Sierra Club's intervention request. Accordingly, Sierra
7 Club should be granted intervention.

8 There have been no objections to the request for temporary admission *pro hac vice* for Ms.
9 Kennedy-Howard and Mr. Ritchie. Accordingly, for good cause shown and pursuant to Rule 38(a)3,
10 the request for temporary admission *pro hac vice* admission is reasonable and should be granted,
11 provided that the completion of the application procedures occurs within 45 days of this procedural
12 order.

13 IT IS THEREFORE ORDERED that Sierra Club is hereby granted intervention.

14 IT IS FURTHER ORDERED that the request for temporary admission *pro hac vice* of Nellis
15 Kennedy-Howard and Travis Ritchie to appear before the Commission is hereby granted.

16 IT IS FURTHER ORDERED that Nellis Kennedy-Howard and Travis Ritchie's address for
17 service of papers and other communication shall be:

18 Travis Ritchie
19 Nellis Kennedy-Howard
20 Sierra Club Environmental Law Program
85 Second Street, 2nd Floor
San Francisco, CA 94105

21 IT IS FURTHER ORDERED that the address for service of papers and other communication
22 for the Arizona-licensed attorney designated as local counsel, Timothy M. Hogan, shall be:

23 Timothy M. Hogan
24 ARIZONA CENTER FOR LAW IN THE PUBLIC INTEREST
202 E. McDowell Road, Suite 153
25 Phoenix, AZ 85004

26 IT IS FURTHER ORDERED that Nellis Kennedy-Howard and Travis Ritchie shall complete
27 the application procedures within 45 days of the date of this procedural order.
28

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

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

10 DATED this 14th day of March, 2014.

11
12
13 
14 LYN FARMER
15 CHIEF ADMINISTRATIVE LAW JUDGE
16

17 Copies of the foregoing mailed/delivered
18 this 14th day of March, 2014 to:

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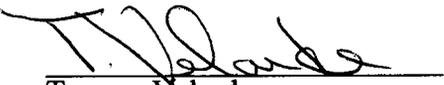
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