

OPEN MEETING AGENDA ITEM



0000151689

1 Timothy M. Hogan (004567)  
2 ARIZONA CENTER FOR LAW  
3 IN THE PUBLIC INTEREST  
4 202 E. McDowell Rd., Suite 153  
5 Phoenix, Arizona 85004  
6 (602) 258-8850  
7 [thogan@aclpi.org](mailto:thogan@aclpi.org)

RECEIVED

2014 MAR 10 P 3:26

AZ CORP COMMISSION  
DOCKET CONTROL

ORIGINAL

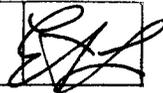
BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

MAR 10 2014

7 BOB STUMP, Chairman  
8 GARY PIERCE  
9 BRENDA BURNS  
10 ROBERT L. BURNS  
11 SUSAN BITTER SMITH

DOCKETED BY 

11 IN THE MATTER OF THE APPLICATION OF )  
12 ARIZONA PUBLIC SERVICE COMPANY FOR )  
13 A HEARING TO DETERMINE THE FAIR )  
14 VALUE OF THE UTILITY PROPERTY OF THE )  
15 COMPANY FOR RATEMAKING PURPOSES, )  
16 TO FIX A JUST AND REASONABLE RATE OF )  
17 RETURN THEREON, TO APPROVE RATE )  
18 SCHEDULES DESIGNED TO DEVELOP SUCH )  
19 RETURN )

DOCKET NO. E-01345A-11-0224

MOTION TO ASSOCIATE  
COUNSEL PRO HAC VICE

17 Timothy M. Hogan, pursuant to Rule 38(a), Ariz. R. Sup. Ct., moves the court to  
18 associate Travis M. Ritchie and Nellis Kennedy-Howard as counsel pro hac vice in this action. In  
19 support of this motion and pursuant to Rule 38(a)(3)(C), the following original documents are  
20 attached:

- 21 1. Verified Applications to Appear Pro Hac Vice;
- 22 2. Certificates of Good Standing; and
- 23 3. State Bar of Arizona Notice of Receipt of Complete Application.

1 Timothy M. Hogan hereby agrees to serve as local counsel in this matter and accepts the  
2 responsibilities detailed in Rule 39(a)(2), Ariz. R. Sup. Ct.

3 DATED this 10<sup>th</sup> day of March, 2014.

4 ARIZONA CENTER FOR LAW IN  
5 THE PUBLIC INTEREST

6 By   
7 Timothy M. Hogan  
8 202 E. McDowell Rd., Suite 153  
Phoenix, Arizona 85004

9 ORIGINAL and 13 COPIES of  
10 the foregoing filed this 10<sup>th</sup> day  
of March, 2014, with:

11 Docketing Supervisor  
12 Docket Control  
13 Arizona Corporation Commission  
1200 W. Washington  
Phoenix, AZ 85007

14 COPIES of the foregoing  
15 electronically mailed this  
16 10<sup>th</sup> day of March, 2014 to:

17 All Parties of Record

18   
19 \_\_\_\_\_

20  
21  
22  
23  
24  
25



March 06, 2014

Timothy M Hogan  
Arizona Center for Law in the Public Interest  
202 E McDowell Rd Ste 153  
Phoenix, AZ 85004-4533

**RE: Pro Hac Vice Applicant - Nellis Kennedy-Howard P193710  
Pro Hac Application # 1008158**

Dear Mr Hogan:

Enclosed is the State Bar of Arizona Pro Hac Vice Notice, original verified application and original Certificate of Good Standing(s), pursuant to Ariz. R. Sup. Ct., 38(a) Admission Pro Hac Vice.

**Pursuant to Rule 38(a) C, a copy of each Order granting or denying the motion as entered by the court, board or administrative agency shall be mailed by local counsel to the State Bar of Arizona, Attention Membership Records.**

If you have any questions or need further assistance, please contact me or the Resource Center at (602) 340-7239.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer Ford".

Jennifer Ford, CAP  
Member Resources Administrator

Arizona Corporation Commission

Application of APS for Utility Property Fair )  
Value Hearing, )  
Plaintiff )  
v. )  
Defendant. )

CASE # E-01345A-110224

SBA App #1008158

**NOTICE OF RECEIPT OF COMPLETE APPLICATION**

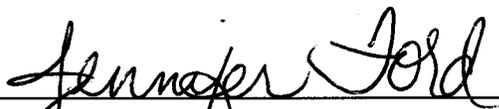
NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the verified application and fee from Nellis Kennedy-Howard.

In addition to this application, applicant has made the following applications to appear pro hac vice, pursuant to Rule38 (a), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?
-----------------	--------------	------	----------

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good Standing are attached hereto.

DATED this 6<sup>th</sup> day of March 2014

  
Jennifer Ford, CAP  
Member Resources Administrator  
State Bar of Arizona

Original Mailed on this 6<sup>th</sup> day of March 2014 to:

Timothy M Hogan  
Arizona Center for Law in the Public Interest  
202 E McDowell Rd Ste 153  
Phoenix, AZ 85004-4533



For Official Use Only  
App# 1008158  
Bar Number# P193710

Attn: Pro Hac Vice Dept  
4201 N. 24<sup>th</sup> St., Ste 100  
Phoenix, AZ 85016-6266  
Phone: 602-340-7239

### Application for Appearance Pro Hac Vice

#### PART I: Applicant Information

Name of Applicant: Nellis Kennedy-Howard

Firm/Company Name: Sierra Club

Office Address: 85 Second Street, 2nd Floor, San Francisco, CA 94105

Telephone: 218-849-4523 Fax: 415-977-5793 Email Address: nellis.khoward@sierraclub.org

Residence Address: 4601 Montano Road NW Unit #38 Albuquerque, NM 87120

Title of cause or case where applicant seeks to appear: 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, TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN. \_\_\_\_\_

Docket Number: E-01345A-11-0224

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Sierra Club

#### **Pursuant to Arizona Supreme Court Rule 38(a)(4), the applicant shall complete the information below:**

Courts to Which Applicant Has Been Admitted: <small>(Attach additional pages if necessary)</small>	Date of Admission:	Bar Number:
<u>Supreme Court of New Mexico</u>	<u>September 23, 2013</u>	<u>145706</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant  is /  is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Ariz. R. Sup. Ct., Rule 38(a) in the following:

Title of Matter:	Docket #:	Court or Agency:	App Granted? (Y/N)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

This case or cause  is /  is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, Applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause.

If applicable, please provide related or consolidated matter application or docket# \_\_\_\_\_

# DEPOSITED

MAR 04 2014

4468F  
\$920 - 2/2

**PART II: Local Counsel Information**

Name of Arizona Local Counsel: Timothy M. Hogan

State Bar of Arizona Number: 004567

Address: 202 E. McDowell Rd., Suite 153, Phoenix, AZ 85004

Telephone: 602-258-8850 Fax: 602-258-8757 Email Address: thogan@aclpi.org

Local Counsel is a member in good standing.

Local Counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, to opposing parties and counsel, and to court, board, or administrative agency in that particular cause.

**PART III: Parties and Certification**

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Attached: Exhibit A (Party List)</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$460.00. Fifteen percent of the non-refundable application fee paid pursuant to this section shall be deposited into a civil legal services fund to be distributed by the Arizona Foundation for Legal Services and Education entirely to approved legal services organizations, as that term is defined in subparagraph (f) of this rule.

Applicant is furnishing a certificate from the state bar or from the clerk of the highest admitting court of each state, territory, or insular possession of the United States in which the nonresident attorney has been admitted to practice law certifying the nonresident attorney's date of admission to such jurisdiction and the current status of the nonresident attorney's membership or eligibility to practice therein. The certificate furnished shall be no more than forty-five (45) days old.

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Ariz. R. Sup. Ct. Rule 46(b).
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

**Verification**

STATE OF New Mexico  
County of Bernalillo ) ss.

I, Nellis Kennedy-Howard, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 2/28/14 Applicant's Signature: Nellis Kennedy-Howard

SUBSCRIBED AND SWORN TO before me this 28 day of February, 2014, by

Nellis Kennedy-Howard  
Name of Applicant



**OFFICIAL SEAL**  
**Theodore Studerus**  
**NOTARY PUBLIC**  
**STATE OF NEW MEXICO**

Theodore Studerus  
Notary Public

My Commission Expires: 12/3/17

**Exhibit A- Parties of Record- Docket No. E-01933A-12-0291**

Docketing Supervisor  
Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

Jeffrey Woner  
K.R. SALINE & ASSOC., PLC  
160 N. Pasadena, Suite 101  
Mesa, Arizona 85201

David Berry  
Western Resource Advocates  
P.O. Box 1064  
Scottsdale, Arizona 85252-1064

Barbara Wyllie-Pecora  
14410 W. Gunsight Dr.  
Sun City West, Arizona 85375

Lawrence Robertson, Jr.  
PO Box 1448  
Tubac, Arizona 85646

Bradley Carroll  
88 E. Broadway Blvd. MS HQE910  
P.O. Box 711  
Tucson, Arizona 85702

Jeff Schlegel  
1167 W. Samalayuca Dr.  
Tucson, Arizona 85704-3224

Laura Sanchez  
P.O. Box 287  
Albuquerque, New Mexico 87103

Greg Patterson  
2398 E. Camelback Rd., Ste. 240  
Phoenix, Arizona 85016

C. Webb Crockett  
Fennemore Craig, P.C  
2394 E. Camelback Rd, Ste 600

Karen White  
AFLOA/JACL-ULT  
139 Barnes Drive  
Tyndall Air Force Base, Florida 32403

Samuel Miller  
USAF Utility Law Field Support Center  
139 Barnes Ave., Ste. 1  
Tyndall AFB, Florida 32403

Jody Kyler  
36 East 7th Street, Ste. 1510  
Cincinnati, Ohio 45202

Kurt Boehm  
Boehm, Hurtz & Lowry  
36 E. Seventh St. Suite 1510  
Cincinnati, Ohio 45202  
Steve Chriss  
2011 S.E. 10th St.  
Bentonville, Arkansas 72716-0500

Nicholas Enoch  
349 N. Fourth Ave.  
Phoenix, Arizona 85003

Timothy Hogan  
202 E. McDowell Rd. - 153  
Phoenix, Arizona 85004

Jay Moyes  
1850 N. Central Ave. - 1100  
Phoenix, Arizona 85004

Jeffrey Crockett  
One E. Washington St., Ste. 2400  
Phoenix, Arizona 85004

Gary Yaquinto  
Arizona Utility Investors Association  
2100 North Central Avenue, Suite 210





March 06, 2014

Timothy M Hogan  
Arizona Center for Law in the Public Interest  
202 E McDowell Rd Ste 153  
Phoenix, AZ 85004-4533

**RE: Pro Hac Vice Applicant - Travis Ritchie P178901  
Pro Hac Application # 1008159**

Dear Mr Hogan:

Enclosed is the State Bar of Arizona Pro Hac Vice Notice, original verified application and original Certificate of Good Standing(s), pursuant to Ariz. R. Sup. Ct., 38(a) Admission Pro Hac Vice.

**Pursuant to Rule 38(a) C, a copy of each Order granting or denying the motion as entered by the court, board or administrative agency shall be mailed by local counsel to the State Bar of Arizona, Attention Membership Records.**

If you have any questions or need further assistance, please contact me or the Resource Center at (602) 340-7239.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer Ford".

Jennifer Ford, CAP  
Member Resources Administrator

Arizona Corporation Commission

Application of APS for Utility Property Fair Value Hearing, Plaintiff v. Defendant.

CASE # E-01345A-110224

SBA App #1008159

NOTICE OF RECEIPT OF COMPLETE APPLICATION

NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the verified application and fee from Travis Ritchie.

In addition to this application, applicant has made the following applications to appear pro hac vice, pursuant to Rule38 (a), within the previous three (3) years:

Table with 4 columns: Title of Matter, Court/Agency, Date, and Granted?. It lists two closed applications from the Arizona Corporation Commission.

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good Standing are attached hereto.

DATED this 6th day of March 2014

Handwritten signature of Jennifer Ford, Member Resources Administrator, State Bar of Arizona.

Original Mailed on this 6th day of March 2014 to:

Timothy M Hogan, Arizona Center for Law in the Public Interest, 202 E McDowell Rd Ste 153, Phoenix, AZ 85004-4533



Attn: Pro Hac Vice Dept  
 4201 N. 24<sup>th</sup> St., Ste 100  
 Phoenix, AZ 85016-6266  
 Phone: 602-340-7239

For Official Use Only  
 App# 1008159  
 Bar Number# P178901

**Application for Appearance Pro Hac Vice**

**PART I: Applicant Information**

Name of Applicant: Travis Michael Ritchie

Firm/Company Name: Sierra Club

Office Address: 85 Second Street, 2nd Floor, San Francisco, CA 94105

Telephone: 415-977-5727 Fax: 415-977-5793 Email Address: travis.ritchie@sierraclub.org

Residence Address: \_\_\_\_\_

Title of cause or case where applicant seeks to appear: \_\_\_\_\_  
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, TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN.

Docket Number: E-01345A-11-0224

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Sierra Club

**Pursuant to Arizona Supreme Court Rule 38(a)(4), the applicant shall complete the information below:**

Courts to Which Applicant Has Been Admitted: <small>(Attach additional pages if necessary)</small>	Date of Admission:	Bar Number:
<u>Supreme Court of California</u>	<u>December 2, 2008</u>	<u>258084</u>
<u>U.S. District Court for the Northern District of California</u>	<u>February 4, 2009</u>	<u>258084</u>
_____	_____	_____
_____	_____	_____

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

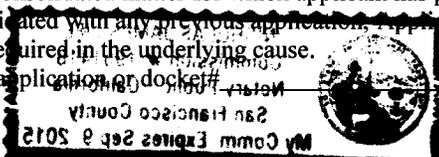
Applicant  is /  is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Ariz. R. Sup. Ct., Rule 38(a) in the following:

Title of Matter:	Docket #:	Court or Agency:	App Granted? (Y/N)
<small>IN THE MATTER OF THE APPLICATION OF TUCSON ELECTRIC POWER CO</small>	<u>E-01933A-12-0291</u>	<u>Arizona Corporation Commission</u>	<u>Y</u>
<small>IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE CO</small>	<u>E-01345A-10-0474</u>	<u>Arizona Corporation Commission</u>	<u>Y</u>
_____	_____	_____	_____

This case or cause  is /  is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause. If applicable, please provide related or consolidated matter application or docket#

Revised 10/29/12



**DEPOSITED**

MAR 05 2014

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 \$420.00 1/2

**Exhibit A- Parties of Record- Docket No. E-01933A-12-0291**

Docketing Supervisor  
Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

Jeffrey Woner  
K.R. SALINE & ASSOC., PLC  
160 N. Pasadena, Suite 101  
Mesa, Arizona 85201

David Berry  
Western Resource Advocates  
P.O. Box 1064  
Scottsdale, Arizona 85252-1064

Barbara Wyllie-Pecora  
14410 W. Gunsight Dr.  
Sun City West, Arizona 85375

Lawrence Robertson, Jr.  
PO Box 1448  
Tubac, Arizona 85646

Bradley Carroll  
88 E. Broadway Blvd. MS HQE910  
P.O. Box 711  
Tucson, Arizona 85702

Jeff Schlegel  
1167 W. Samalayuca Dr.  
Tucson, Arizona 85704-3224

Laura Sanchez  
P.O. Box 287  
Albuquerque, New Mexico 87103

Greg Patterson  
2398 E. Camelback Rd., Ste. 240  
Phoenix, Arizona 85016

C. Webb Crockett  
Fennemore Craig, P.C  
2394 E. Camelback Rd, Ste 600

Karen White  
AFLOA/JACL-ULT  
139 Barnes Drive  
Tyndall Air Force Base, Florida 32403

Samuel Miller  
USAF Utility Law Field Support Center  
139 Barnes Ave., Ste. 1  
Tyndall AFB, Florida 32403

Jody Kyler  
36 East 7th Street, Ste. 1510  
Cincinnati, Ohio 45202

Kurt Boehm  
Boehm, Hurtz & Lowry  
36 E. Seventh St. Suite 1510  
Cincinnati, Ohio 45202  
Steve Chriss  
2011 S.E. 10th St.  
Bentonville, Arkansas 72716-0500

Nicholas Enoch  
349 N. Fourth Ave.  
Phoenix, Arizona 85003

Timothy Hogan  
202 E. McDowell Rd. - 153  
Phoenix, Arizona 85004

Jay Moyes  
1850 N. Central Ave. - 1100  
Phoenix, Arizona 85004

Jeffrey Crockett  
One E. Washington St., Ste. 2400  
Phoenix, Arizona 85004

Gary Yaquinto  
Arizona Utiltiy Investors Association  
2100 North Central Avenue, Suite 210



# Supreme Court of California

FRANK A. McGUIRE  
*Court Administrator and Clerk of the Supreme Court*

**CERTIFICATE OF THE CLERK OF THE SUPREME COURT**  
**OF THE**  
**STATE OF CALIFORNIA**

**TRAVIS MICHAEL RITCHIE**

*I, FRANK A. McGUIRE, Clerk of the Supreme Court of the State of California, do hereby certify that Travis Michael Ritchie, #258084, was on the 2nd day of December 2008 duly admitted to practice as an attorney and counselor at law in all the courts of this state, and is now listed on the Roll of Attorneys as a member of the bar of this state in good standing.*

*Witness my hand and the seal of the court  
on the 30th day of January, 2014.*

FRANK A. McGUIRE  
*Clerk of the Supreme Court*

By: \_\_\_\_\_

*A. Allen, Sr. Deputy Clerk*

