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BEFORE THE ARIZONA CORPORATION COMMISSION

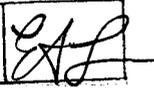
COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

AUG 13 2014

DOCKETED BY 

AZ CORP COMMISSION  
DOCKET CONTROL

2014 AUG 13 PM 3 04

WARREN WOODWARD,

Complainant,

v.

ARIZONA PUBLIC SERVICE COMPANY,

Respondent.

DOCKET NO. E-01345A-14-0113

ORIGINAL

PROCEDURAL ORDER  
(Setting Procedural Conference)

**BY THE COMMISSION:**

On April 1, 2014, Warren Woodward (“Complainant”) filed with the Arizona Corporation Commission (“Commission”) a Formal Complaint against Arizona Public Service Company (“Respondent”). The Complaint was filed in the form of a letter dated March 18, 2014, addressed to the Commission’s Utilities Division Director.

On April 2, 2014, the Commission’s Utilities Division Director docketed a letter informing Complainant that the Commission’s Utilities Division (“Staff”) had caused the March 18, 2014 letter to be docketed as a Complaint.

On April 4, 2014, Complainant docketed a letter addressed to the Commissioners and the Commission’s Utilities Division Director, in response to the April 2, 2014, letter from the Commission’s Utilities Division Director.

On April 24, 2014, Respondent filed a Motion to Dismiss and Alternatively APS’s Answer to Formal Complaint (“Motion to Dismiss and Answer”).

On May 6, 2014, Complainant filed a letter in reply to the Motion to Dismiss and Answer (“Reply to Motion to Dismiss and Answer”).

On May 19, 2014, Complainant filed a letter with an attachment.

On June 19, 2014, a Procedural Order was issued setting a procedural conference to discuss

1 procedural matters.

2 The procedural conference convened as scheduled on June 26, 2014. Complainant appeared  
3 on his own behalf and Respondent appeared through counsel.

4 At the June 26, 2014, procedural conference, Complainant stated that he planned to represent  
5 himself in this proceeding; that he did not wish to amend the Complaint with any additional factual  
6 allegations or legal claims; that he had not yet determined whether he wishes to introduce evidence  
7 through witnesses other than his own testimony; and that Complainant and Respondent had not yet  
8 resolved any issues or discussed whether there were any factual agreements between the parties.

9 Respondent requested that the hearing schedule be suspended until after the issuance of a  
10 report from the Arizona Department of Health Services (“ADHS”) as requested by the Commission.<sup>1</sup>  
11 Counsel for Respondent stated that the requested study is ongoing, and that according to ADHS, the  
12 report on the requested study is anticipated to be completed in late September 2014. Complainant  
13 objected to scheduling the hearing to take place after issuance of the ADHS study report.

14 Following the June 26, 2014, procedural conference, a Procedural Order was issued directing  
15 Complainant and Respondent to arrange an in-person Settlement Meeting to occur prior to July 25,  
16 2014, and to jointly file, on or before August 11, 2014, a list of facts upon which Complainant and  
17 Respondent agree.

18 On August 8, 2014, a Joint Stipulation of Agreed Facts was filed, signed by Complainant and  
19 Respondent.

20 Accordingly, a procedural conference should be scheduled to discuss procedural matters  
21 associated with the Complaint, the Motion to Dismiss and Answer, and the Reply to Motion to  
22 Dismiss and Answer.

23 IT IS THEREFORE ORDERED that a procedural conference in this matter shall be held on  
24 **August 27, 2014, at 2:00 p.m.**, or as soon thereafter as is practicable, at the Commission’s offices,  
25 1200 West Washington Street, Hearing Room No. 1, Phoenix, Arizona, for the purpose of discussing  
26 procedural matters associated with the Complaint, the Motion to Dismiss and Answer, and the Reply

27

28 <sup>1</sup> The Commission voted on August 5, 2013, to request that ADHS conduct a study on the potential health effects of exposure to radio frequencies emitted from smart meters and to docket its report in Docket No. E-00000C-11-0328.

1 to Motion to Dismiss and Answer.

2 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
3 31, 38 and 42, and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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

7 DATED this 13<sup>th</sup> day of August, 2014.

8   
9 TEENA JIBILIAN  
10 ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed/delivered  
12 This 13<sup>th</sup> day of August, 2014 to:

13 Thomas Mumaw  
14 Melissa M. Krueger  
15 PINNACLE WEST CAPITAL CORPORATION  
16 400 North 5<sup>th</sup> Street, MS 8695  
17 Phoenix, AZ 85004

18 Warren Woodward  
19 55 Ross Circle  
20 Sedona, AZ 86336

21 Janice Alward, Chief Counsel  
22 Legal Division  
23 ARIZONA CORPORATION COMMISSION  
24 1200 West Washington Street  
25 Phoenix, AZ 85007

26 Steven M. Olea, Director  
27 Utilities Division  
28 ARIZONA CORPORATION COMMISSION  
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25 By: Rebecca Unquera  
26 Rebecca Unquera  
27 Assistant to Teena Jibilian  
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