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BEFORE THE ARIZONA CORPORATION

COMMISSIONERS

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

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ARIZONA CORP COMMISSION DOCKET CONTROL

Arizona Corporation Commission DOCKETED

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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.

DOCKET NO. E-01345A-11-0224

PROCEDURAL ORDER
Granting Motion Requesting
Telephonic Appearance at
Pre-Hearing Conference

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. The direct testimonies of APS witnesses Jeffrey B. Guldner and Elizabeth Blankenship were attached to the Application.

On March 25, 2014, a Procedural Order was issued setting a hearing to commence on August 4, 2014, and establishing associated procedural deadlines.

On May 15, 2014, APS filed an Affidavit of Publication, indicating that notice of the Application and hearing was published in newspapers of general circulation within its service territory by May 1, 2014.

1 On June 19, 2014, the following testimonies of witnesses for the following parties were filed:
2 direct testimony of Gary Yaquinto on behalf of the Arizona Investment Council ("AIC"); direct
3 testimony of Kevin C. Higgins on behalf of Freeport-McMoran Copper & Gold, Inc. and Arizonans
4 for Electric Choice and Competition (collectively, "AECC"), Noble Americas Energy Solutions, LLC
5 ("Solutions"), Constellation NewEnergy, Inc., Direct Energy LLC, and Shell Energy North Americas
6 (US) LP (collectively, "Noble"), and the Kroger Company ("Kroger"); direct testimony of Steve W.
7 Chriss on behalf of Wal-Mart Stores Inc. and Sam's West, Inc. (collectively, "Walmart"); direct
8 testimony of Ezra D. Hausman on behalf of Sierra Club; direct testimony of Robert B. Mease on
9 behalf of the Residential Utility Consumer Office ("RUCO"); and direct testimonies of Dennis M.
10 Kalbarczyk and James Letzelter on behalf of the Commission's Utilities Division ("Staff").

11 On June 24, 2014, Walmart filed a Notice of Errata.

12 On July 3, 2014, APS filed the rebuttal testimonies of its witnesses Jeffrey B. Guldner, Leland
13 R. Snook, Elizabeth A. Blankenship, and James C. Wilde.

14 On July 18, 2014, AECC, Noble, and Kroger filed the surrebuttal testimony of Kevin C.
15 Higgins.

16 On July 21, 2014, Walmart filed notice that it would not be filing surrebuttal testimony in this
17 matter.

18 On July 21, 2014, the following testimonies of witnesses for the following parties were filed:
19 surrebuttal testimony of Gary Yaquinto on behalf of AIC; surrebuttal testimony of Ezra D. Hausman
20 on behalf of Sierra Club; surrebuttal testimonies of Robert B. Mease and Lon Huber on behalf of
21 RUCO; and surrebuttal testimony of Dennis M. Kalbarczyk on behalf of Staff.

22 On July 25, 2014, APS filed a letter indicating that it has no substantive changes to its prefiled
23 testimony.

24 On July 28, 2014, counsel for Solutions filed a Motion for Leave to Participate Telephonically
25 in Procedural Conference ("Motion"). Counsel stated in the Motion that he anticipates his role in the
26 pre-hearing conference to be limited, and that he may seek to be excused from appearing at the
27 evidentiary hearing.

28 The relief requested by the Motion is reasonable and should be granted.

1 IT IS THEREFORE ORDERED that counsel for Noble Americas Energy Solutions LLC shall
2 be permitted to appear telephonically at the July 30, 2014, pre-hearing conference in the above-
3 captioned matter.

4 IT IS FURTHER ORDERED that on the date of and at least five minutes before the time set
5 for the hearing, Noble Americas Energy Solutions LLC's counsel shall call 1 (800) 689-9374,
6 passcode 415962#, from a landline telephone, to participate telephonically in the procedural
7 conference.

8 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
9 Communications) applies to this proceeding as the matter is now set for public hearing, and shall
10 remain in effect until the Commission's Decision in this matter is final and non-appealable.

11 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
12 31 and 38 and A.R.S. §40-243 with respect to the practice of law and admission *pro hac vice*.

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

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

4 DATED this 28th day of July, 2014.

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6 
7 TEENA TIBILIAN
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 28th day of July, 2014 to:

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