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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

TOM FORESE – Chairman
BOB BURNS
ANDY TOBIN
BOYD DUNN
JUSTIN OLSON

Arizona Corporation Commission

DOCKETED

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IN THE MATTER OF THE FORMAL COMPLAINT
AGAINST ARIZONA PUBLIC SERVICE
COMPANY FILED BY STACEY CHAMPION AND
OTHER ARIZONA PUBLIC SERVICE COMPANY
CUSTOMERS.

DOCKET NO. E-01345A-18-0002

PROCEDURAL ORDER

BY THE COMMISSION:

On January 3, 2018, Stacey Champion filed a formal Complaint against Arizona Public Service Company (“APS”) with the Arizona Corporation Commission (“Commission”) (“Champion Complaint”). The Champion Complaint, signed by Ms. Champion, was submitted in the form of a Change.org petition including Ms. Champion’s name and the names of 425 other individuals characterized as customers of APS.

On February 12, 2018, Mr. Adam Stafford filed a Notice of Appearance of Counsel on behalf of Ms. Champion.

Mr. Richard Gayer, a signatory to the petition and an APS customer, and Mr. Warren Woodward have been granted intervention.

By Procedural Order dated April 16, 2018, the matter was set for hearing to commence on September 25, 2018, and other procedural guidelines were established.

On June 8, 2018, Mr. Gayer filed a “Motion to Compel APS to Answer His Data Requests, Set 3 ARCP Rule 37(a) As Required by AAC R-14-3-11(A)” (“Motion to Compel”).

On June 19, 2018, APS filed a Response to Mr. Gayer’s Motion to Compel.

On June 21, 2018, Chairman Forese filed a letter in the docket requesting that the Commission’s Utilities Division (“Staff”) participate in this proceeding.

On June 22, 2018, Mr. Gayer filed a “Reply on Motion to Compel APS to Answer Data Requests, Set 3 ARCP Rule 37(a) As Required by AAC R-14-3-11(A)” and requested oral argument.

1 On June 28, 2018, by Procedural Order, a procedural conference was set for July 11, 2018, for
2 the purpose hearing oral argument on Mr. Gayer’s Motion to Compel.

3 On June 29, 2018, Staff filed a Notice of Filing Regarding Participation in this Case and Request
4 for Procedural Conference, and proposed a revised schedule for the proceeding.

5 It is reasonable to include discussion of Staff’s participation and its proposed modification to
6 the procedural schedule in this matter at the July 11, 2018, procedural conference.

7 IT IS THEREFORE ORDERED that the scope of the procedural conference scheduled for **July**
8 **11, 2018, at 10:30 a.m.**, is expanded to include a discussion of Staff’s participation in addition to oral
9 argument on the pending discovery dispute.

10 IT IS FURTHER ORDERED that each party or prospective party shall **refer to the Procedural**
11 **Order Regarding Consent to Email Service** issued in this matter on **January 10, 2018**, for additional
12 information regarding the process to consent to service by email. Information regarding Consent to
13 Email Service is also available on the Commission’s website (www.azcc.gov) by clicking on “I want
14 to” and then “Learn about Consenting to Email Service.”

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

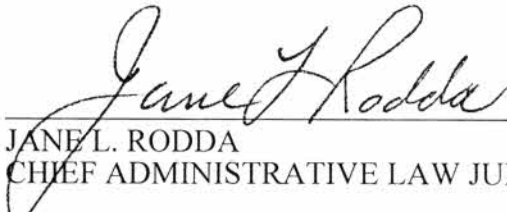
21 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
22 31, 38, 39, and 42 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

23 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
24 Communications) applies to this proceeding and shall remain in effect until the Commission's Decision
25 in this matter is final and non-appealable.

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

4 DATED this 2 day of July, 2018.

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8 JANE L. RODDA
9 CHIEF ADMINISTRATIVE LAW JUDGE
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On this ^{2nd} day of July, 2018, the foregoing document was filed with Docket Control as a Procedural Order – Modifies a Previously Issued Procedural Order, and copies of the foregoing were mailed on behalf of the Hearing Division to the following who have not consented to email service. On this date or as soon as possible thereafter, the Commission’s eDocket program will automatically email a link to the foregoing to the following who have consented to email service.

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