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AZ CORP COMMISSION
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BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360, *et seq.*, FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE TS-5 TO TS-9 500/230kV TRANSMISSION LINE PROJECT, WHICH ORIGINATES AT THE FUTURE TS-5 SUBSTATION, LOCATED IN THE WEST HALF OF SECTION 29, TOWNSHIP 4 NORTH, RANGE 4 WEST AND TERMINATES AT THE FUTURE TS-9 SUBSTATION, LOCATED IN SECTION 33, TOWNSHIP 6 NORTH, RANGE 1 EAST, IN MARICOPA COUNTY, ARIZONA	Arizona Corporation Commission Docket No. L-00000 D-08-0330-00138 Case No. 138

PROCEDURAL ORDER

John Foreman, designee of the Attorney General of Arizona, Terry Goddard, as Chairman and Presiding Officer of the Arizona Power Plant and Transmission Line Siting Committee as authorized by A.R.S. §§ 40-360.01(C) and (D), 40-360.04 and A.A.C. R14-3-201(E), issues the following procedural order,

IT IS ORDERED:

1. The hearing in this matter shall continue on October 20, 21, 22, 27, 28, 29 and 30, 2008, at the Glendale Civic Center, located at 5750 West Glenn Drive, Glendale, Arizona, 85301; telephone (623) 930-4300. If necessary, the hearing shall continue on November 17, 18, 19 and 20, 2008, at the City of Phoenix Convention Center, located at 100 North Third Street, Phoenix, Arizona, 85004; phone number 1-800-282-4842. The hearing will commence each day at 9:30 a.m. and continue until approximately 5:00 p.m. with breaks as needed unless otherwise ordered by the Chairman.

2. The Joint Proposal to Partition Line Siting Hearing previously submitted by some of the parties is accepted in part. The hearing will continue with the presentation evidence in a roughly geographical sequence starting at TS-5 and continuing toward TS-9. During the remainder of the hearing the parties will present evidence and cross-examine witnesses in the following order:

    a. Arizona Public Service, the Applicant
    b. The Staff of the Arizona Corporation Commission
    c. The Arizona Land Department
    d. 10,000 West, L.L.C.

e. City of Surprise
f. Elliott Homes, Inc.
g. Woodside Homes of Arizona
h. Anderson Land and Development, Inc.
i. Sun Haven Property Owners
j. Surprise Grand Vista JVI, L.L.C.
k. Warrick 160, L.L.C. and Lake Pleasant 5000, L.L.C.
l. City of Peoria
m. Vistancia, L.L.C.
n. Vistancia Village Homeowners
o. Diamond Ventures, Inc.
p. Quintero Community Association/Quintero Golf & Country Club
q. LP 107, L.L.C.
r. DLGC, II L.L.C.

3. Attorneys may agree amongst themselves to change positions to accommodate schedules of attorneys and witnesses only with the approval of the Chairman. This is to insure that other attorneys and parties will be able to predict with some certainty what portions of the hearing are not important enough to them to appear.

4. Attorneys need not appear for the testimony of witnesses and presentation of evidence by other parties if they choose to waive their presence. The Chairman encourages attorneys to advise the Chairman when they will not be present.

5. Failure to attend the hearing at the appropriate time according to the above schedule without prior approval from the Chairman may be deemed a waiver of the right to present evidence and the right to cross-examine a testifying witness. If the time for presenting evidence or cross-examining a witness for the party according to the above schedule occurs, counsel for the party has not previously obtained the approval of the Chairman to be absent, and counsel for the party is not present, the hearing will continue and the party will be deemed to have waived its right to present evidence or cross-examine a particular witness.

6. The Applicant shall on or before September 26, 2008, advise in writing the Chairman and the intervening parties whether it will waive the time limit set forth in A.R.S. § 40-361.04D. If it is willing to waive the 180 day time limit, the Applicant shall advise in the same written submission the Chairman and intervening parties the length of time or circumstances under which it is willing to waive the time limit.

IT IS FURTHER ORDERED, that the Chairman may amend or waive any portion of this Procedural Order by subsequent Procedural Order or by ruling at the hearing.

DATED: September 11, 2008

John Foreman, Chairman
Arizona Power Plant and Transmission
Line Siting Committee
Assistant Attorney General
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