BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

IN THE MATTER OF THE GENERIC PROCEEDINGS CONCERNING ELECTRIC RESTRUCTURING ISSUES.	DOCKET NO. E-00000A-02-0051
IN THE MATTER OF ARIZONA PUBLIC SERVICE COMPANY'S REQUEST FOR VARIANCE OF CERTAIN REQUIREMENTS OF A.A.C. R14-2-1606.	DOCKET NO. E-01345A-01-0822
IN THE MATTER OF THE GENERIC PROCEEDING CONCERNING THE ARIZONA INDEPENDENT SCHEDULING ADMINISTRATOR.	DOCKET NO. E-00000A-01-0630
IN THE MATTER OF TUCSON ELECTRIC POWER COMPANY'S APPLICATION FOR A VARIANCE OF CERTAIN ELECTRIC COMPETITION RULES COMPLIANCE DATES.	DOCKET NO. E-01933A-02-0069
IN THE MATTER OF THE APPLICATION OF TUCSON ELECTRIC POWER COMPANY FOR APPROVAL OF ITS STRANDED COST RECOVERY.	DOCKET NO. E-01933A-98-0471

PROCEDURAL ORDER

BY THE COMMISSION:

On April 25, 2002, during the Arizona Corporation Commission's ("Commission") Special Open Meeting, the Commissioners stayed Arizona Public Service's (APS") variance hearing which was scheduled to begin on April 29, 2002.

At the April 29, 2002 Procedural Conference in the generic docket, Southwestern Power Group II, LLC et al. and Sempra Energy Resources inquired as to the effect of the stay on the existing procedural deadlines in Tucson Electric Power Company's ("TEP") variance request proceeding. TEP stated at the Procedural Conference that it would docket a filing indicating TEP's position on a stay of its variance request.

On April 30, 2002, TEP filed its Position Statement. TEP stated that it does not object to the issuance of a stay to its variance request in accordance with the terms of the Commission's April 25, 2002 stay, and that it would prefer that the Commission rule on the threshold issues no later than August 1, 2002.

In a separate Procedural Order issued in these dockets today, the Commission has established a procedural schedule and timeframes for the parties to address the issues identified during the Special Open Meeting. Although the Commission's Special Open Meeting addressed the issues in the context of the APS variance docket, many of the same issues also affect TEP. Accordingly, as this is a generic docket proceeding, the parties should address their testimony and evidence to encompass TEP as well.

On March 14, 2002, TEP, the Residential Utility Consumer Office, Arizonans for Electric Choice and Competition, and the Arizona Community Action Association filed in these dockets a stipulated agreement on the issues raised in TEP's January 28, 2002 motion requesting an amendment of its market generation credit calculation ("TEP MGC Motion"). That agreement was filed in the form of a new Motion for Clarification of Settlement Agreement ("TEP MGC Motion II"). The parties should file any testimony relating to the TEP MGC Motion II in their testimony for the Track B issues identified in the separate Procedural Order issued in these dockets today.

IT IS THEREFORE ORDERED that the procedural deadlines set forth in the March 14, 2002 Procedural Order in TEP's variance request docket are hereby vacated, except that public comment will be taken on **June 10, 2002 at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the parties shall file testimony concerning TEP according to the procedural schedule set in the separate Procedural Order issued in these dockets today.

IT IS FURTHER ORDERED that the TEP MGC Motion II is included in Track B, Competitive Solicitations, as identified in the separate Procedural Order issued in these dockets today.

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

IT IS FURTHER ORDERED that the time periods specified herein shall not be extended pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 2d day of May, 2002.

TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 2nd day of May, 2002 to:

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