

**Court of Appeals, Division One
Corporation Commission**

1 CA-CC 25-0001

VOTE SOLAR, ET AL. v. ACC

Appellate Case Information

Case Filed: 28-Jan-2025
Case Closed:

Dept/Composition

Department D
Hon. Daniel J Kiley
Hon. D Steven Williams
Hon. Cynthia J Bailey

Consolidated with: 1 CA-CC 25-0002 1 CA-CC 25-0003 1 CA-CC 25-0004

Side 1. VOTE SOLAR, et al., Appellant

(Litigant Group) VOTE SOLAR

- Vote Solar

Co-Counsel for: Appellant

Chanele N Reyes, Esq. (AZ Bar No. 34898)
David C Bender, Esq. (WI Bar No. 1046102)
Robert Rigonan, Esq. (CO Bar No. 53544)

(Litigant Group) STATE OF ARIZONA (1 CA-CC 25-0002)

- State of Arizona

Attorneys for: Appellant Sate

Mary Curtin, Esq. (AZ Bar No. 31973)
Joshua M Whitaker, Esq. (AZ Bar No. 32724)
Andrew McCoy, Esq. (AZ Bar No. 39783)

(Litigant Group) ARISEIA, et al. (1 CA-CC 25-0003 / 1 CA-CC 25-0004)

- Arizona Solar Energy Industries Association
- Solar Energy Industries Association
- Diane Banet
- Michael Self

Co-Counsel for: Appellants

Court S Rich, Esq. (AZ Bar No. 21290)
Logan V Elia, Esq. (AZ Bar No. 25009)
Eric A Hill, Esq. (AZ Bar No. 29890)
Autumn T Johnson, Esq. (AZ Bar No. 35811)

Side 2. ARIZONA CORPORATION COMMISSION, Appellee

(Litigant Group) ACC

- Arizona Corporation Commission

Attorney for: Appellee

Thomas Van Flein, Esq. (AZ Bar No. 39145)
Maureen A Scott, Esq. (AZ Bar No. 12344)
J Michael Dailey, Jr., Esq. (AZ Bar No. 19046)

Side 3. ARIZONA PUBLIC SERVICE COMPANY, Intervenor

(Litigant Group) ARIZONA PUBLIC SERVICE COMPANY

- Arizona Public Service Company

Attorneys for: Intervenor

Mary R O'Grady, Esq. (AZ Bar No. 11434)
Joseph N Roth, Esq. (AZ Bar No. 25725)
Thomas G Hungar, Esq. (DC Bar No. 447783)
Matthew S Rozen, Esq. (DC Bar No. 1023209)
Aaron M Smith, Esq. (DC Bar No. 888314520)

CASE STATUS

Feb 25, 2026....Under Advisement

PREDECESSOR CASE (S)

ACC	E-01345A-22-0144	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo

CALENDAR

Wednesday	MONTHLY COURT CASE CALENDAR					
25-Feb-2026	Department D; COURTROOM 2					<i>Mixed</i>
11:00 AM	VOTE SOLAR.....				30 mins.	
	STATE OF ARIZONA (1 CA-CC 25-0002).....				30 mins.	
	ARISEIA, et al. (1 CA-CC 25-0003 / 1 CA-CC 25-0004).....				30 mins.	
	ACC.....				30 mins.	
	ARIZONA PUBLIC SERVICE COMPANY.....				30 mins.	

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P E N D I N G M A T T E R

General Motion

Filed: 19-May-2025

**Arizona Corporation Commission's Partial Motion to Dismiss (Appellee)*

64 PROCEEDING ENTRIES

1.	28-Jan-2025	FILED: Notice of Direct Appeal; Certificate Of Service Of Appellant's Notice Of Direct Appeal (Appellant)
2.	29-Jan-2025	FILED: Writ of Review FILED: Certificate of Mailing re: Writ of Review
3.	31-Jan-2025	RECEIPT No.: 2025-00104 ; \$165.00, Authorization: #31007888243, Applied to: VOTE SOLAR - Class B Filing Fee (\$165.00) Paid for: Daniel J Adelman - By nCourt LLC
4.	31-Jan-2025	RECEIPT No.: 2025-00105 ; \$330.00, Authorization: #31007888243, Applied to: VOTE SOLAR - Class A Filing Fee (\$330.00) Paid for: Daniel J Adelman - By nCourt LLC (Memo: X-Ref: 2025-00104)
5.	31-Jan-2025	VOID RECEIPT No.: 2025-00104 - \$-165.00, Authorization: #31007888243, - Applied to: VOTE SOLAR - Class B Filing Fee (\$-165.00) Paid for: Daniel J Adelman - By: nCourt LLC VOID Reason: X-Ref: 2025-00105. incorrect receivable type. alr.
6.	26-Feb-2025	FILED: Arizona Corporation Commission's Unopposed Motion to Consolidate (Request for Procedural Order); Certificate of Service to the Arizona Corporation Commission's Unopposed Motion to Consolidate (Request For Procedural Order) (Appellee)
7.	27-Feb-2025	ORDERED: Arizona Corporation Commission's Unopposed Motion to Consolidate (Request for Procedural Order) (Appellee) = GRANTED and consolidating cases 1 CA-CC 25-0001, 1 CA-CC 25-0002, 1 CA-CC 25-0003, and 1 CA-CC 25-0004. FURTHER ORDERED: records due by 4/7/25. Melina Brill ProTem Judge - Author
8.	7-Mar-2025	FILED: Arizona Corporation Commission's Motion to File Certified Record on Electronic Media; Certificate of Service to the Arizona Corporation Commission's Motion to File Certified Record on Electronic Media (Appellee)
9.	7-Mar-2025	FILED: Arizona Public Service Company's Motion to Intervene; Certificate of Service (Intervenor)
10.	11-Mar-2025	ORDERED: Arizona Corporation Commission's Motion to File Certified Record on Electronic Media (Appellee) = GRANTED. Patrick Philippe Lacroix ProTem Judge - Author
11.	14-Mar-2025	RECEIPT No.: 2025-00254 ; \$165.00, Authorization: #73009134947, Applied to: ARIZONA PUBLIC SERVICE COMPANY - Class B Filing Fee (\$165.00) Paid for: Osborn Maledon PA - By nCourt LLC
12.	26-Mar-2025	ORDERED: Arizona Public Service Company's Motion to Intervene (Intervenor) = GRANTED and permitting Arizona Public Service Company to intervene in this appeal. FURTHER ORDERED: Amending the caption in this appeal by adding Arizona Public Service Company as an intervenor. The above caption shall be used on all future documents filed in this appeal. Melina Brill ProTem Judge - Author
13.	2-Apr-2025	FILED: Record on Appeal: Index of Record with USB Drive in envelope Confidential Exhibits under seal in box
14.	2-Apr-2025	FILED: Appellate Clerk Notice re: Brief
15.	2-Apr-2025	FILED: Arizona Corporation Commission's Notice of Filing Certified Record (Appellee)
16.	2-May-2025	FILED: Motion to Associate Counsel Pro Hac Vice; Certificate of Service (Intervenor)
17.	5-May-2025	ORDERED: Motion to Associate Counsel Pro Hac Vice (Intervenor) = GRANTED and permitting attorneys Rhomas G. Hungar, William R. Holloway, and Matthew S. Rozen to appear pro hac vice as co-counsel for Intervenor Arizona Public Service Company. Melina Brill ProTem Judge - Author
18.	19-May-2025	FILED: Arizona Corporation Commission's Partial Motion to Dismiss; Certificate of Service to the Arizona Corporation Commission's Partial Motion to Dismiss (Appellee)
19.	19-May-2025	FILED: Motion to Associate Counsel Pro Hac Vice; Certificate of Service; Exhibit A (Pro Hac Vice Documents) (Intervenor)
20.	20-May-2025	ORDERED: Motion to Associate Counsel Pro Hac Vice (Intervenor) = GRANTED and permitting attorney Aaron Smith of Gibson, Dunn & Crutcher LLP to appear pro hac vice as co-counsel for intervenor Arizona Public Service Company with Joseph N. Roth of Osborn Maledon, P.A. as local counsel. Steven C Lawrence ProTem Judge - Author
21.	20-May-2025	ORDERED: Vacating the 06/02/2025 due date for the opening brief. The order ruling on the pending motion will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
22.	23-May-2025	FILED: Arizona Corporation Commission's Notice of Change of Counsel; Certificate of Service to the Arizona Corporation Commission's Notice of Change of Counsel (Appellee)
23.	29-May-2025	FILED: Unopposed Motion for Procedural Order Extending Time to File Response to Partial Motion to Dismiss Appeal; Certificate of Service (Appellant)

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24. 29-May-2025 ORDERED: Unopposed Motion for Procedural Order Extending Time to File Response to Partial Motion to Dismiss Appeal (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 06-03-2025 to Tuesday, 06-10-2025. Steven C Lawrence ProTem Judge - Author
25. 10-Jun-2025 FILED: State of Arizona's Response to Arizona Corporation Commission's Partial Motion to Dismiss Appeal; Certificate of Service (Appellant State)
26. 10-Jun-2025 FILED: Vote Solar's Joinder in the State of Arizona's Response to Arizona Corporation Commission's Partial Motion to Dismiss Appeal; Certificate of Service (Appellant Solar)
27. 10-Jun-2025 FILED: Notice of Joinders; Certificate of Service (Appellant)
28. 17-Jun-2025 FILED: Arizona Corporation Commission's Reply to Partial Motion to Dismiss; Certificate of Service to the Arizona Corporation Commission's Reply to Partial Motion to Dismiss (Appellee)
29. 18-Jun-2025 ORDERED: Deferring a ruling on the motion (partial motion to dismiss) to the panel that considers this appeal on the merits. FURTHER ORDERED: Opening brief is due by 07/18/2025. Steven C Lawrence ProTem Judge - Author
30. 18-Jul-2025 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant Solar)
31. 18-Jul-2025 FILED: State of Arizona's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant State)
32. 19-Jul-2025 FILED: Opening Brief and Joinder; Certificate of Compliance; Certificate of Service (Appellant Ariseia)
33. 30-Jul-2025 FILED: Appellee's and Intervenor's Unopposed Motion for Procedural Order to Extend Time and Expand Word Limit for Consolidated Answering Brief; Certificate of Service (Intervenor)
34. 30-Jul-2025 ORDERED: Appellee's and Intervenor's Unopposed Motion to Extend Time and Expand Word Limit For Consolidated Answering Brief(Intervenor) = GRANTED/Corporation Commission may file a consolidated answering brief not to exceed 21,000 words. FURTHER ORDERED: APS may file a separate consolidated answering brief not to exceed 21,000 words. FURTHER ORDERED: Appellee's and Intervenor's Unopposed Motion For Procedural Order To Extend Time (Intervenor) = GRANTED/Extending the time to file the consolidated answering briefs from 08/27/2025 to 09/26/2025. If the briefs are not timely filed, the court will submit this appeal for decision on the record and the opening briefs. Steven C Lawrence ProTem Judge - Author
35. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 4 Of 9 (Intervenor)
36. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 5 Of 9 (Intervenor)
37. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 6 Of 9 (Intervenor)
38. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 7 Of 9 (Intervenor)
39. 26-Sep-2025 FILED: Intervenor Arizona Public Service Company's Brief in Support of Appellee; Certificate of Compliance; Certificate of Service (Intervenor)
40. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 1 Of 9 (Intervenor)
41. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 2 Of 9 (Intervenor)
42. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 3 Of 9 (Intervenor)
43. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 8 Of 9 (Intervenor)
44. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 9 Of 9 (Intervenor)
45. 26-Sep-2025 FILED: Arizona Corporation Commission's Consolidated Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
46. 26-Sep-2025 FILED: Arizona Corporation Commission's Consolidated Answering Brief (Duplicate); Certificate of Compliance (Duplicate); Certificate of Service (Duplicate) (Appellee)
47. 9-Oct-2025 FILED: Appellants' Unopposed Motion for Procedural Order to Expand Word Limit and Extend Time for Consolidated Reply Briefs; Certificate of Service (Appellants)
48. 9-Oct-2025 ORDERED: Appellants' Unopposed Motion for Procedural Order to Expand Word Limit and Extend Time for Consolidated Reply Briefs (Appellants) = GRANTED. Extending the time for these appellants to file reply briefs from 10/16/2025 to 10/30/2025. If the briefs are not timely filed, the court will submit this appeal for decision on the record and the filed briefs. FURTHER ORDERED: Each reply brief may contain up to 10,500 words. Steven C Lawrence ProTem Judge - Author
49. 30-Oct-2025 FILED: Appellant Vote Solar's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant Solar)
50. 30-Oct-2025 FILED: State of Arizona's Consolidated Reply Brief; Certificate of Compliance; Certificate of Service (Appellant State)
51. 30-Oct-2025 FILED: Consolidated Reply Brief and Joinder; Certificate of Compliance; Certificate of Service (Appellants)
52. 4-Nov-2025 FILED: Request for Oral Argument; Certificate of Service (Intervenor)

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53.	4-Nov-2025	FILED: Arizona Corporation Commission's Request for Oral Argument and Additional Time; Certificate of Service (Appellee)
54.	5-Nov-2025	FILED: Appellants' Non-Opposition to Requests for Extended Oral Argument; Certificate of Service (Appellant)
55.	12-Dec-2025	ORDERED: Granting the requests for oral argument. Oral argument will be scheduled in the normal course of the court's calendar, and the court will notify counsel of the date. FURTHER ORDERED: Granting the request for extended oral argument and allowing 30 minutes per side for argument. The parties are responsible for dividing their allotted time. Hon Randall M Howe - Author
56.	26-Dec-2025	CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 2-25-26, 11:00 am, COURTROOM 2.
57.	28-Jan-2026	FILED: Notice of Oral Argument
58.	28-Jan-2026	FILED: Return Receipt for Notice of Oral Argument, Signed by Matthew S Rozen on 01/28/2026 (Intervenor)
59.	28-Jan-2026	FILED: Return Receipt for Notice of Oral Argument, Signed by Thomas Van Flein on 01/28/2026 (Appellee)
60.	2-Feb-2026	FILED: Appellants' Unopposed Motion to Clarify Oral Argument Time; Certificate of Service (Appellant)
61.	3-Feb-2026	ORDERED: Appellants' Unopposed Motion to Clarify Oral Argument Time (Appellant) = GRANTED. Appellants collectively have up to 30 minutes to present argument; Appellee and Intervenor will collectively have up to 30 minutes to present argument. Hon Daniel J Kiley - Author
62.	10-Feb-2026	FILED: Return Receipt for Notice of Oral Argument, Signed by Joshua M. Whitaker on 02/10/2026 (Appellant State)
63.	11-Feb-2026	FILED: Return Receipt for Notice of Oral Argument, Signed by Robert Rigonan on 02/11/2026 (Appellant)
64.	26-Feb-2026	FILED: Sign-in Sheet/Case is Under Advisement as of 2/25/26