

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

**1 CA-CC 25-0002**

**STATE v. ACC**

**Appellate Case Information**

Case Filed: 29-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 25-0001 1 CA-CC 25-0003 1 CA-CC 25-0004

**Side 1. STATE OF ARIZONA, Appellant**  
**(Litigant Group) STATE**

- State of Arizona

**Attorneys for: Appellant**

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

**Side 2. ARIZONA CORPORATION COMMISSION, Appellee**  
**(Litigant Group) ACC**

- Arizona Corporation Commission

**Attorney for: Appellee**

Thomas Van Flein, Esq. (AZ Bar No. 39145)

**CASE STATUS**

Feb 25, 2026...Under Advisement

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
ACC E-10345A-22-0144					

**PENDING MATTER**

**General Motion**

Filed: 19-May-2025

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

**53 PROCEEDING ENTRIES**

1.	29-Jan-2025	FILED: Notice of Direct Appeal; Certificate of Service of Notice of Direct Appeal (Appellant)
2.	29-Jan-2025	FILED: Writ of Review FILED: Certificate of Mailing re: Writ of Review
3.	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
4.	7-Mar-2025	FILED: Arizona Public Service Company's Motion to Intervene; Certificate of Service (Intervenor)
5.	11-Mar-2025	ORDERED: Arizona Corporation Commission's Motion to File Certified Record on Electronic Media (Appellee) = GRANTED. Patrick Philippe Lacroix ProTem Judge - Author
6.	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
7.	2-Apr-2025	FILED: Record on Appeal: Index of Record with USB Drive in envelope Confidential Exhibits under seal in box
8.	2-Apr-2025	FILED: Appellate Clerk Notice re: Brief
9.	2-Apr-2025	FILED: Arizona Corporation Commission's Notice of Filing Certified Record (Appellee)
10.	2-May-2025	FILED: Motion to Associate Counsel Pro Hac Vice; Certificate of Service (Intervenor)
11.	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
12.	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)
13.	19-May-2025	FILED: Motion to Associate Counsel Pro Hac Vice; Certificate of Service; Exhibit A (Pro Hac Vice Documents) (Intervenor)

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*Information presented in this document may not reflect all case activity and is subject to change without notice.*

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14. 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
15. 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
16. 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)
17. 29-May-2025 FILED: Unopposed Motion for Procedural Order Extending Time to File Response to Partial Motion to Dismiss Appeal; Certificate of Service (Appellant)
18. 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
19. 10-Jun-2025 FILED: State of Arizona's Response to Arizona Corporation Commission's Partial Motion to Dismiss Appeal; Certificate of Service (Appellant State)
20. 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)
21. 10-Jun-2025 FILED: Notice of Joinders; Certificate of Service (Appellant)
22. 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)
23. 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
24. 18-Jul-2025 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant Solar)
25. 18-Jul-2025 FILED: State of Arizona's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant State)
26. 19-Jul-2025 FILED: Opening Brief and Joinder; Certificate of Compliance; Certificate of Service (Appellant Ariseia)
27. 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)
28. 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
29. 26-Sep-2025 FILED: Arizona Corporation Commission's Consolidated Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
30. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 9 Of 9 (Intervenor)
31. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 8 Of 9 (Intervenor)
32. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 3 Of 9 (Intervenor)
33. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 2 Of 9 (Intervenor)
34. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 1 Of 9 (Intervenor)
35. 26-Sep-2025 FILED: Intervenor Arizona Public Service Company's Brief in Support of Appellee; Certificate of Compliance; Certificate of Service (Intervenor)
36. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 7 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 5 Of 9 (Intervenor)
39. 26-Sep-2025 FILED: Arizona Corporation Commission's Consolidated Answering Brief (Duplicate); Certificate of Compliance (Duplicate); Certificate of Service (Duplicate) (Appellee)
40. 26-Sep-2025 FILED: Appendix To Intervenor Arizona Public Service Company's Brief In Support Of Appellee Volume 4 Of 9 (Intervenor)
41. 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)

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42. 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
43. 30-Oct-2025 FILED: Appellant Vote Solar's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant Solar)
44. 30-Oct-2025 FILED: State of Arizona's Consolidated Reply Brief; Certificate of Compliance; Certificate of Service (Appellant State)
45. 4-Nov-2025 FILED: Arizona Corporation Commission's Request for Oral Argument and Additional Time; Certificate of Service (Appellee)
46. 4-Nov-2025 FILED: Request for Oral Argument; Certificate of Service (Intervenor)
47. 5-Nov-2025 FILED: Appellants' Non-Opposition to Requests for Extended Oral Argument; Certificate of Service (Appellant)
48. 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
49. 26-Dec-2025 CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 2-25-26, 11:00 am, COURTROOM 2.
50. 28-Jan-2026 FILED: Notice of Oral Argument
51. 2-Feb-2026 FILED: Appellants' Unopposed Motion to Clarify Oral Argument Time; Certificate of Service (Appellant)
52. 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
53. 26-Feb-2026 FILED: Sign-in Sheet/Case is Under Advisement as of 2/25/26