

INTERVENTION  
ORIGINAL



0000000708

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

2004 JAN -6 P 3:41

Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION  
DOCUMENT CONTROL

JAN - 6 2004

1  
2  
3  
4 WILLIAM A. MUNDELL  
Chairman  
5 JIM IRVIN  
Commissioner  
6 MARC SPITZER  
Commissioner  
7

DOCKETED BY

8  
9 IN THE MATTER OF THE APPLICATION OF  
10 ARIZONA PUBLIC SERVICE COMPANY  
11 FOR A HEARING TO DETERMINE THE  
12 FAIR VALUE OF THE UTILITY PORPERTY  
13 OF THE COMPANY FOR RATEMAKING  
14 PURPOSES, TO FIX A JUST AND  
15 REASONABLE RATE OF RETURN  
16 THEREON, TO APPROVE RATE  
17 SCHEDULES DESIGNED TO DEVELOP  
18 SUCH RETURN, AND FOR APPROVAL OF  
19 PURCHASE POWER CONTRACT.

DOCKET NO. E-01345A-03-0437

APPLICATION TO INTERVENE

20 Pursuant to Arizona Administrative Code ("A.A.C.") R14-3-105(B), PPL Sundance,  
21 LLC, and PPL Southwest Generation Holdings, LLC, (collectively "PPL") hereby jointly  
22 apply to intervene in the above-captioned proceeding.

23 **A. DESCRIPTION OF THE PARTIES**

24 **1. PPL Sundance, LLC.** PPL Sundance is a Delaware limited liability company  
25 authorized by the FERC to sell electricity at market-based rates. It is a wholly-owned direct  
26 subsidiary of PPL Generation, LLC, ("PPL Generation") which in turn is a wholly-owned

1 indirect subsidiary of PPL Corporation, a Pennsylvania corporation and a public utility  
2 holding company exempt from registration under Section 3(a)(1) of PUHCA. PPL  
3 Sundance owns the PPL Sundance generating plant located in Pinal County, Arizona. The  
4 PPL Sundance generating plant is a simple-cycle gas-fired plant with ten turbines with a  
5 generating capacity of 450 MW.  
6

7 **2. PPL Southwest Generation Holdings, LLC.** PPL Southwest Generation is  
8 Delaware limited liability company authorized by the FERC to sell electricity at market-  
9 based rates. It is a wholly-owned direct subsidiary of PPL Generation, LLC, (“PPL  
10 Generation”) which in turn is a wholly-owned indirect subsidiary of PPL Corporation, a  
11 Pennsylvania corporation and a public utility holding company exempt from registration  
12 under Section 3(a)(1) of PUHCA. PPL Southwest Generation owns an indirect 50% interest  
13 in Griffith Energy LLC (“Griffith Energy”).<sup>1</sup> Griffith Energy is an exempt wholesale  
14 generator (“EWG”) authorized by FERC to sell electricity at market-based rates. Griffith  
15 Energy owns the Griffith Energy Project, a gas-fired combined cycle electric generating  
16 plant located in Mohave County, Arizona, with a baseload capacity of approximately 500  
17 MW and a peak capacity of approximately 600 MW.  
18

19  
20  
21 **B. Interest of PPL**

22 1. PPL’s existing generating facilities are interconnected to the  
23 regional electric grid through the federally-owned transmission facilities pursuant to  
24 interconnection and transmission service agreements with Western Area Power  
25

26  

---

<sup>1</sup> PPL Southwest Generation owns a 50% interest in Southwest Power Partners, LLC, which in turns holds a 100% ownership interest in Griffith Energy. Duke Energy Mohave, LLC owns the remaining 50% interest in Southwest Power Partners, LLC.

1 Administration. PPL has made substantial capital investment in Arizona in reliance upon  
2 the Commission's rules governing electric competition. Through its marketing affiliate,  
3 PPL EnergyPlus, LLC, PPL is engaged in offering competitive energy resources to  
4 wholesale purchasers, including APS, and is vitally interested in seeing a robust,  
5 competitive wholesale energy market develop in Arizona. APS' request for approval of  
6 acquisition of substantial generation assets from APS' affiliate Pinnacle West Energy  
7 Corporation ("PWEC") will have a material impact on the future of wholesale electric  
8 competition in Arizona and in the Western United States. Therefore, PPL has substantial  
9 interests in the outcome of this proceeding and desires to intervene in order to protect those  
10 interests.  
11

12 2. PPL is a member of the Arizona Competitive Power Alliance and will, to the  
13 extent possible, participate in this proceeding in coordination with the Alliance so as to  
14 avoid unnecessary duplication. However, certain aspects of PPL's interests may not  
15 adequately be represented by the Alliance. PPL accepts the status and record of this  
16 proceeding as it exists. PPL's intervention will not unduly delay the proceedings or  
17 prejudice the rights of other parties.  
18

19 3. PPL requests that all notices, correspondence and copies of orders and other  
20 materials should be addressed to:  
21

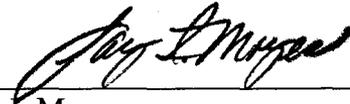
22  
23 Jay I. Moyes  
24 3003 N. Central Ave. #1250  
25 Phoenix, AZ 85012  
26 602-604-2106  
(fax) 602-274-9135  
[jimoyes@lawms.com](mailto:jimoyes@lawms.com)

Jesse A. Dillon, Esquire  
PPL Services Corporation  
Two N. Ninth Street  
Allentown, PA 18101  
610-774-5013  
(fax) 610-774-6726  
[jadillon@pplweb.com](mailto:jadillon@pplweb.com)

1                   WHEREFORE, for reasons discussed above, PPL Sundance, LLC and PPL  
2 Southwest Generation Holdings, LLC respectfully request that they be  
3 granted leave to intervene and participate as a party in this proceeding, and be accorded full  
4 intervenor status under the Commission's rules and regulations.

5                   DATED this 6<sup>th</sup> day of January, 2004.

6  
7                   MOYES STOREY, LTD.

8  
9                   

10                   Jay I. Moyes  
11                   3003 N. Central Ave. #1250  
12                   Phoenix, AZ 85012  
13                   602-604-2107  
14                   (fax) 602-274-9135  
15                   [jimoyes@lawms.com](mailto:jimoyes@lawms.com)

16                   Of Counsel:

17                   Jesse A. Dillon, Esquire  
18                   PPL Services Corporation  
19                   Two N. Ninth Street  
20                   Allentown, PA 18101  
21                   610-774-5013  
22                   (fax) 610-774-6726  
23                   [jadillon@pplweb.com](mailto:jadillon@pplweb.com)

24                   ORIGINAL plus 15 copies of the  
25                   of the foregoing filed this  
26                   6th day of January 2004, with:

                  Docket Control Division  
                  Arizona Corporation Commission  
                  1200 W. Washington  
                  Phoenix, AZ 85007

                  Copies of the foregoing were  
                  mailed this 6<sup>th</sup> day of January, 2004  
                  pursuant to the Procedural Order  
                  Service list.

