



BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

AUG 22 2002

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
ENRON ENERGY SERVICES, INC. FOR
CANCELLATION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. E-03690A-02-0394

ORDER

65122

Open Meeting
August 20 and 21, 2002
Phoenix, Arizona

BY THE COMMISSION:

On August 5, 1999, in Decision No. 61873, the Arizona Corporation Commission ("Commission") granted to Enron Energy Services, Inc. ("EES") a Certificate of Convenience and Necessity ("CC&N") authorizing it to supply competitive retail electric services.

On May 28, 2002, EES filed an application to cancel its CC&N ("Application"). In the Application, EES stated that it does not currently serve any retail electric customers in Arizona and has no plans to do so in the future. EES stated that there are no retail electric customers in Arizona that would be affected by cancellation of its CC&N.

On June 14, 2002, the Commission's Utilities Division Staff ("Staff") filed a Staff Report in this docket. Staff recommends that EES' CC&N be cancelled without a hearing.

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. EES is a public service corporation authorized to supply competitive retail electric services in Arizona as a Load-Serving Entity and as an Aggregator. The Commission granted EES' CC&N authorizing it to provide the above-described services in Decision No. 61873 (August 5, 1999).

2. EES' Application states that it does not currently serve any retail electric customers in

1 Arizona and has no plans to do so in the future. EES further stated that there are no retail electric
2 customers in Arizona that would be affected by cancellation of its CC&N.

3 3. EES did not request that a hearing be held on the Application.

4 4. On June 14, 2002, Staff filed a Staff Report on the Application.

5 5. Staff stated that because EES has never provided retail services to Arizona customers
6 and does not plan to offer such services in the future, granting the Application is in the public
7 interest.

8 6. Staff recommends that the Application be approved without a hearing.

9 7. No customers will be affected by the cancellation of EES' CC&N.

10 8. Staff's recommendations in Findings of Fact No. 6 is reasonable.

11 **CONCLUSIONS OF LAW**

12 1. EES is a public service corporation within the meaning of Article XV of the Arizona
13 Constitution and A.R.S. §§ 40-281 and 40-282.

14 2. The Commission has jurisdiction over EES and the subject matter of the Application.

15 3. Staff's recommendations in Findings of Fact No. 6 should be adopted.

16 4. The Commission may approve the Application without a hearing.

17 ...

18 ...

19 ...

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

ORDER

IT IS THEREFORE ORDERED that the Application of Enron Energy Services, Inc. requesting cancellation of its Certificate of Convenience and Necessity is hereby granted.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

		
CHAIRMAN	COMMISSIONER	COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 22ND day of AUGUST, 2002.


 BRIAN C. McNEIL
 EXECUTIVE SECRETARY

DISSENT _____
TW:mj

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 SERVICE LIST FOR: ENRON ENERGY SERVICES, INC.

2 DOCKET NOS. E-03690A-02-0394

3

4 Harry Kingerski
5 Vice President - Regulatory Affairs
6 Enron Corporation
7 P.O. Box 1188
8 Houston, TX 77251-118

9 Christopher Kempley, Chief Counsel
10 Legal Division

11 ARIZONA CORPORATION COMMISSION
12 1200 West Washington Street
13 Phoenix, Arizona 85007

14 Ernest G. Johnson, Director

15 Legal Division
16 ARIZONA CORPORATION COMMISSION
17 1200 West Washington Street
18 Phoenix, Arizona 85007

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34