



0000036964

BEFORE THE ARIZONA CORPORATION COM.

WILLIAM A. MUNDELL
Chairman
JIM IRVIN
Commissioner
MARC SPITZER
Commissioner

2002 NOV 18 A 11: 35

AZ CORP COMMISSION
DOCUMENT CONTROL

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 A VARIANCE OF CERTAIN REQUIREMENTS OF A.A.C. R14-22-1606.

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

Arizona Corporation Commission
DOCKETED

NOV 18 2002

REPLY TESTIMONY OF

DOCKETED BY	CAR
-------------	-----

DAVID BERRY

LAND AND WATER FUND OF THE ROCKIES

November 18, 2002

Reply Testimony of David Berry
Land and Water Fund of the Rockies
Docket No. E-00000A-02-0051 et al.

TABLE OF CONTENTS

Introduction	1
HGC's Proposed Rate Impact Criterion	1
Response to the Residential Utility Consumer Office	3
Recommendations	4

1 **Introduction**

2
3 Q. Please state your name and state whom you represent.

4 A. My name is David Berry. I represent the Land and Water Fund of the Rockies (LAW
5 Fund) in this matter.

6
7 Q. Did you file direct testimony in this docket?

8 A. Yes. I filed direct testimony on November 12, 2002.

9
10 Q. What is the purpose of your reply testimony?

11 A. I would like to respond to Harquahala Generating Company's (HGC's) proposal that
12 the Commission adopt a criterion that the competitive solicitation process seek to
13 minimize the net present value of rate impacts. I would also like to address several
14 points in the Residential Utility Consumer Office's (RUCO's) testimony.

15
16 **HGC's Proposed Rate Impact Criterion**

17
18 Q. What is HGC's proposed economic criterion?

19 A. On pages 23 and 24 of his testimony, Thomas Broderick recommends that the
20 Commission adopt as the criterion for competitive solicitations the minimization of
21 the net present value of rate impacts. The rate impacts are to be computed by
22 dividing discounted total annual revenue requirements "by the total utility kilowatt-
23 hour requirement for that year and averaged across the years of the planning period."
24 All resources, including a utility's existing generation and purchased power contracts
25 are to be included.

26
27 Q. Does Mr. Broderick's proposal raise any concerns?

28 A. Yes. I appreciate Mr. Broderick's desire to place a decision framework around the
29 competitive solicitation process that will result in benefits for ratepayers. However,
30 the choice of a criterion or criteria must be made with care. There are two problems

1 with the rate impact test and the revenue requirements analysis that goes into the rate
2 impact test:

- 3 a. A necessary condition for a test based solely upon utility revenue requirements to
4 be valid is that all environmental impacts be internalized so that all the costs of
5 those impacts appear in the revenue requirements. If some environmental
6 impacts are not internalized by the utility, a focus on revenue requirements will
7 ignore the ecological, public health, aesthetic, and other environmental costs
8 associated with power production. That is, any costs which can be put upon
9 consumers or the environment and that are not reflected in utility revenue
10 requirements will be ignored. Sweeping environmental costs of power
11 generation under the rug is not in the public interest. In addition, as I pointed out
12 in my direct testimony, some environmental impacts of electricity generation
13 carry significant risks of increased costs to ratepayers attributable to future
14 environmental regulatory requirements. An analysis of utility revenue
15 requirements that does not account for these risks could lead to increased costs
16 for ratepayers in the long run.
- 17 b. Translating revenue requirements (dollars) into rate impacts (dollars per kWh)
18 introduces a significant distortion into the decision criterion. Cost effective
19 demand side management (DSM) will reduce kWh sales. Consumers will benefit
20 from cost effective DSM because the total cost of meeting their demand for
21 electric energy services will decrease. The rate impact test will report that
22 electricity rates will go up because the utility's sunk costs will be spread over
23 lower kWh sales, *ceteris paribus*. But, relying on the rate impact test would be
24 misleading because it would falsely indicate that cost effective DSM is a bad
25 investment for society. The rate impact test gives misleading information about
26 DSM because it incorporates irrelevant costs into the analysis and does not
27 provide a comprehensive comparison of costs of alternatives in the proper units.
28 The irrelevant costs are the sunk costs of the utility such as past investments in
29 existing power plants. These costs cannot be undone. The relevant costs for
30 resource acquisition are incremental costs, i.e., costs that will be incurred going

1 forward. The proper comparison of alternatives involves the incremental costs
2 incurred by society to implement each alternative. For example, one should
3 compare the incremental costs of resource mixes containing only generation and
4 resource mixes containing generation and various levels of DSM. The mix with
5 the lowest costs for society is the preferred option, holding constant all other
6 factors, such as exposure to price volatility or environmental risk. The proper
7 unit of analysis is dollars, not dollars per kWh: consumers pay their bills with
8 dollars and utilities purchase resources with dollars.
9

10 **Response to the Residential Utility Consumer Office**
11

12 Q. Dr. Rosen, on behalf of RUCO, recommends that the Commission employ a test
13 using the present value of revenue requirements to determine whether a resource
14 acquisition plan is the best plan (pp. 6, 7, 8, 25). Dr. Rosen also implies that the
15 Commission previously employed such a test in its Resource Planning Rules (e.g., p.
16 25). Do you have any comments on Dr. Rosen's approach?

17 A. Yes. I agree with Dr. Rosen that it is necessary to look at resource acquisitions in a
18 comprehensive and systematic manner. But, as stated above with respect to Mr.
19 Broderick's testimony, the revenue requirements test is valid only under special
20 circumstances. I would also like to correct the history of cost tests used in Arizona.
21 The Commission did not adopt a revenue requirements test as the criterion for
22 selecting the best resource plan. Decision 57589, regarding the first cycle of resource
23 planning, states that the resource planning rules "were adopted by the Commission
24 for the purpose of minimizing the total cost of providing electric energy services by
25 improving long range planning" (p. 4). That decision also states that "the primary test
26 should be the Total Societal Test with consideration given to environmental
27 concerns" (p. 10). A.A.C. R14-2-703(F) states that utilities are to select the plan
28 which "will tend to minimize the present value of the total cost of meeting the
29 demand for electric energy services." Total cost is defined in the rule as all capital,
30 operating, maintenance, fuel, and decommissioning costs incurred in the provision or

1 conservation of electric energy services borne by end users, utilities, or others,
2 including any adverse environmental effects.
3

4 Q. Dr. Rosen recognizes the importance of demand side management in lowering the
5 cost of meeting the demand for electric energy services. How does his proposal for
6 DSM compare with the LAW Fund's proposal?

7 A. On page 33, Dr. Rosen recommends that the formal solicitation process be delayed to
8 allow time for developing a more inclusive bidding process. On page 28, he
9 recommends that the regulated utility be required to bid into the resource mix, at
10 regulated cost of service rates, DSM sufficient to reduce its peak load by 2 percent
11 each year, with the expectation that about half of that would be selected as cost
12 effective. I agree with Dr. Rosen that DSM should not be overlooked in minimizing
13 the costs of meeting the demand for electric energy services. Our proposals are
14 similar in that the LAW Fund recommends that DSM resources be acquired and that
15 the cost effectiveness of DSM resources be evaluated against the avoidable costs of
16 supply side resources. We differ in that the LAW Fund did not propose delaying or
17 modifying the first cycle of competitive solicitations. In addition, the LAW Fund
18 proposed that the Commission determine the parameters of DSM programs after
19 workshops and a hearing.
20

21 **Recommendations**

22
23 Q. Do you have any recommendations based on the above review?

24 A. Yes. I recommend that the Commission not require that the present value of rate
25 impacts or revenue requirements be used to determine decisively which portfolio of
26 resources to acquire. The present value of rate impacts, in particular, should be
27 avoided because it improperly evaluates the benefits of DSM. The relevant costs for
28 resource acquisition are incremental costs, i.e., costs that will be incurred going
29 forward. The proper comparison of alternatives involves the incremental costs

1 incurred by society to implement each alternative, including consideration of
2 environmental costs and risk.

3 The LAW Fund does not wish to delay the first round competitive solicitations,
4 and it will take time for the Commission to develop an appropriate policy on
5 integrating environmental costs and risks into the solicitation process. I therefore
6 recommended in my direct testimony that the Commission establish a separate
7 proceeding on environmental risk management in preparation for the second and
8 subsequent cycles of competitive solicitation. I suggest that the Commission address
9 the issue of integrating environmental costs and risks into the decision criteria for
10 resource evaluation in that separate proceeding.

11
12 Q. Does this conclude your reply testimony?

13 A. Yes.

14

Original and 19 copies of the foregoing filed with Docket Control, Arizona Corporation Commission, 1200 W. Washington Street, Phoenix, AZ 85007, on the 15th day of November 2002, and copies sent to:

Scott S. Wakefield
RUCO
1110 W. Washington, Suite 220
Phoenix AZ 85007

Randall H. Warner, Esq.
Jones, Skelton & Hochuli, PLC
2901 Central, Suite 800
Phoenix AZ 85012

Columbus Electric Cooperative, Inc.
P.O. Box 631
Deming, New Mexico 88031

C. Webb Crockett
Jay L. Shapiro
Fennemore Craig
3003 N. Central, Suite 2600
Phoenix AZ 85012-2913

Mark Sirois
Executive Director
Arizona Community Action Assn
2627 North Third Street #2
Phoenix AZ 85004

Continental Divide Electric Cooperative
P.O. Box 1087
Grants New Mexico 87020

Walter W. Meek, President
Arizona Utility Investors Association
2100 N. Central, Suite 210
Phoenix AZ 85004

Terry Frothun
Arizona State AFL-CIO
5818 N. 7th Street, Suite 200
Phoenix Arizona 85014-5811

Dixie Escalante Rural Electric
Association
CR Box 95
Beryl Utah 84714

Steven J. Duffy
Ridge & Isaacson
3101 N. Central, Suite 1090
Phoenix AZ 85012

Norman J. Furuta
Department of the Navy
900 Commodore Drive, Bldg 107
San Bruno California 94066-5006

Garkane Power Association, Inc.
P.O. Box 790
Richfield, Utah 84701

Steve Lavigne
Director of Regulatory Affairs
Duke Energy
4 Triad Center, Suite 1000
Salt Lake City UT 84180

Christopher J. Emge
Arizona Community Action Assn.
2627 N. 3rd Street, Suite 2
Phoenix Arizona 85004

Arizona Dept of Commerce
Energy Office
3800 North Central Avenue, 12th Floor
Phoenix Arizona 85012

Robert S. Lynch
Arizona Transmission Dependent
Utility Group
340 East Palm Lake, Suite 140
Phoenix AZ 85004-4529

Barbara S. Bush
Coalition for Responsible Energy
Education
315 West Riviera Drive
Tempe Arizona 85252

Jessica Youle
PAB300
Salt River Project
P.O. Box 52025
Phoenix Arizona 85072-2025

Dennis L. Delaney
K.R. Saline & Associates
160 N. Pasadena, Suite 101
Mesa AZ 85201-6764

Robert J. Metli
Cheifetz & Iannitelli, P.A.
3238 N. 16th St.
Phoenix AZ 85016

Joe Eichelberger
Magma Copper Company
P.O. Box 37
Superior Arizona 85273

Kevin C. Higgins
Energy Strategies
30 Market Street, Suite 200
Salt Lake City UT 84101

Rick Lavis
Arizona Cotton Growers Association
4139 East Broadway Road
Phoenix, Arizona 85040

Craig Marks
Citizens Utilities Company
2901 N. Central Avenue, Suite 1660
Phoenix Arizona 85012-2736

David Berry
Land and Water Fund of the Rockies
P.O. Box 1064
Scottsdale, AZ 85252

Steve Brittle
Don't Waste Arizona, Inc.
6205 South 12th Street
Phoenix Arizona 85040

Barry Huddleston
Destec Energy
P.O. Box 4411
Houston Texas 77210-4411

Steve Montgomery
Johnson Controls
2032 West 4th Street
Tempe Arizona 85281

Marcia Weeks
18970 N. 116th Lane
Surprise Arizona 85374

Chuck Miessner
NEV SOUTHWEST LLC
P.O. Box 711, Mailstop-DA308
Tucson, Arizona 85702-0711

Peter Glaser
Shook, Hardy & Bacon, LLP
600 14th St. NW Suite 800
Washington DC 20005-2004

Albert Sterman
Arizona Consumers Council
2849 East 8th Street
Tucson Arizona 85716

Raymond B. Wuslich
Winston & Strawn
1400 L Street NW
Washington DC 20005

Douglas Nelson
Douglas C. Nelson, PC
7000 N. 16th Street, Suite 120-307
Phoenix Arizona 85020-5547

Suzanne Dallimore
Antitrust Unit Chief
Arizona Attorney General's Office
1275 West Washington Street
Phoenix, Arizona 85007

Steven C. Gross
Porter Simon
40200 Truckee Airport Road
Truckee California 96161-3307

Larry McGraw
USDA-RUS
6266 Weeping Willow
Rio Rancho, New Mexico 87124

Raymond S. Heyman
Roshka Heyman & Dewulf
400 E. Van Buren, Suite 800
Phoenix, Arizona 85004

Peter Q. Nyce, Jr.
Department of the Army
JALS-RS Suite 713
901 N. Stuart Street
Arlington Virginia 22203-1837

Jim Driscoll
Arizona Citizen Action
5160 E. Bellevue Street, Apt. 101
Tucson AZ 85712-4828

Stephen L. Teichler
Duane Morris & Heckscher
1667 K Street NW, Suite 700
Washington DC 20006

Holly F. Chastain
Schlumberger Resource Management
Services
5430 Metric Place
Norcross Georgia 30092-2550

William Baker
Electrical District No. 6
7310 N. 16th Street, Suite 320
Phoenix, Arizona 85020

Kathy T. Puckett
Shell Oil Company
200 N. Dairy Ashford
Houston, Texas 77079

Leslie Lawner
Enron Corp.
712 North Lea
Roswell New Mexico 88201

John Jay List
General Counsel
National Rural Utilities Cooperative
Finance Corp.
2201 Cooperative Way
Herndon Virginia 21071

Harry Kingerski
Shell Energy Services Co.
PO Box 4402
Houston Texas 77210-4402

Dan Neidlinger
Neidlinger & Associates
3020 N. 17th Drive
Phoenix, Arizona 85015

Robert Julian
PPG
1500 Merrell Lane
Belgrade Montana 59714

John T. Travers
William H. Nau
272 Market Square, Suite 2724
Lake Forest, Illinois 60045

Chuck Garcia
PNM Law Department
Alvarado Square, MS 0806
Albuquerque New Mexico 87158

K.R. Saline
K.R. SALINE & ASSOCIATES
Consulting Engineers
160 N. Pasadena, Suite 101
Mesa Arizona 85201-6764

Timothy Michael Toy
Winthrop, Stimson, Putnam & Roberts
One Battery Park Plaza
New York New York 10004-1490

Sanford J. Asman
570 Vinington Court
Dunwoody Georgia 30350-5710

Timothy M. Hogan
Arizona Center for Law in the Public
Interest
202 F. McDowell Rd., Suite 153
Phoenix Arizona 85004

Stephanie A. Conaghan
Duane, Morris & Heckscher
1667 K Street NW, Suite 700
Washington DC 20006-1608

Donald R. Allen
John P. Coyle
DUNCAN & ALLEN
1575 Eye Street NW, Suite 300
Washington DC 20005

Ward Camp
Phaser Advanced Metering Services
400 Gold SW, Suite 1200
Albuquerque New Mexico 87102

Brian Soth
Firstpoint Services, Inc.
1001 SW 5th Ave. Suite 500
Portland, Oregon 92704

Barbara R. Goldberg
Office of the City Attorney
3939 Civic Center Blvd
Scottsdale AZ 85251

Theresa Drake
Idaho Power Company
P.O. Box 70
Boise, Idaho 83707

M.C. Arendes Jr.
C3 Communications, Inc.
2600 Via Fortuna, Suite 500
Austin, Texas 78746

Jay Kaprosy
Phoenix Chamber of Commerce
201 N. Central, 27th Floor
Phoenix AZ 85073

Libby Brydolf
California Energy Markets Newsletter
2419 Bancroft Street
San Diego California 92104

Ian Calkins
Phoenix Chamber of Commerce
201 N. Central, 27th Floor
Phoenix AZ 85073

Kevin McSpadden
Milbank, Tweed, Hadley and McCloy
601 S. Figueroa, 30th Floor
Los Angeles California 90017

Paul W. Taylor
R W BECK
2201 E. Camelback Rd, Suite 115-B
Phoenix, Arizona 85016-3433

Lyn Farmer
Chief Administrative Law Judge
Arizona Corporation Commission
1200 West Washington
Phoenix AZ 85007

David Couture
TEP
4350 E. Irvington Rd
Tucson AZ 85714

James P. Barlett
5333 N. 7th Street, Suite B-215
Phoenix Arizona 85014

Ernest Johnson, Director
Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix AZ 85007

John A. LaSota Jr.
Miller LaSota & Peters
5225 N. Central Ave., Suite 235
Phoenix AZ 85012

Alan Watts
Southern California Public Power
Agency
529 Hilda Court
Anaheim California 92806

TEP Legal Dept – DB 203
220 W. 6th St.
PO Box 711
Tucson AZ 85702-0711

Peter W. Frost
Conoco Gas & Power Marketing
600 N. Dairy Ashford, CH-1068
Houston TX 77079

Frederick M. Bloom
Commonwealth Energy Corporation
15991 Red Hill Avenue, Suite 201
Tustin California 92780

Vinnie Hunt
City of Tucson
Dept of Operations
4004 S. Park Ave. Bldg 2
Tucson AZ 85714

Curtis Kebler
Reliant Resources
8996 Etiwanda Ave
Rancho Cucamonga CA 91739

Margaret McConnell
Maricopa Community Colleges
2411 W. 14th Street
Tempe Arizona 85281-6942

Ryle J. Carl III
IBEW #1116
750 S. Tucson Blvd.
Tucson AZ 85716-5698

Arizona Reporting Service
2627 N. 3d St., Suite 3
Phoenix AZ 85004-1104

Chris King
Utility.com Inc.
40 E. Verdugo Ave
Burbank CA 91502-1981

Carl Dabelstein
Citizens Communications
2901 N. Central Ave., Suite 1660
Phoenix AZ 85012

Greg Patterson
Arizona Competitive Power Alliance
245 West Roosevelt
Phoenix AZ 85003

Christopher C. Kempsey, Esq.
Chief Counsel, Legal Division
Arizona Corporation Commission
1200 W. Washington
Phoenix AZ 85007

Andrew Bettwy
Debra Jacobson
Southwest Gas Corp.
5241 Spring Mountain Rd
Las Vegas NV 89150-0001

via email:

Donna M. Bronski
City Attorney's Office
3939 N. Drinkwater Blvd.
Scottsdale AZ 85251
dbronski@ci.scottsdale.az.us

Michael A. Curtis
William P. Sullivan
Paul R. Michaud
Martinez & Curtis, P.C.
2712 North 7th Street
Phoenix Arizona 85006
mcurtis401@aol.com
wsullivan@martinezcurtis.com
pmichaud@martinezcurtis.com

Raymond S. Heyman
Roshka Heyman & Dewulf
400 E. Van Buren, Suite 800
Phoenix, Arizona 85004
rheyman@rhd-law.com
mpatten@rhd-law.com

Lori Glover
Director of Industry Affairs
Stirling Energy Systems
2920 E. Camelback Rd. #150
Phoenix AZ 85016
lglover@stirlingenergy.com

Jay I. Moyes
Moyes Storey
3003 N. Central Ave., Suite 1250
Phoenix Arizona 85012
jimoyes@lawms.com

Jesse Dillon
PPL Services Corp.
2 N. Ninth St.
Allentown PA 18101-1179
jadillon@pplweb.com

Joan Walker-Ratliff
Manager, Regulatory Affairs
Conoco Gas and Power
PO Box 1267 125-4 ST
Ponca City OK 74602
joan.walker-ratliff@conoco.com

Theodore E. Roberts
Sempra Energy Resources
101 Ash St., HQ 12-B
San Diego CA 82101-3017
troberts@sempra.com

William J. Murphy
City of Phoenix
200 W. Washington St., Suite 1400
Phoenix AZ 85003-1611
bill.Murphy@phoenix.gov

Russell E. Jones
Waterfall Economidis Caldwell
Hanshaw & Villamana
5210 E Williams Cir, Suite 800
Tucson AZ 85711
rjones@wechv.com

Christopher Hitchcock
Hitchcock & Hicks
PO Box 87
Bisbee AZ 85603-0087
lawyers@bisbeelaw.com
John Wallace
Grand Canyon State Electric Co-op
120 N. 44th St., Suite 100
Phoenix AZ 85034-1822
jwallace@gcseca.org

Jana Van Ness
APS
Mail Station 9905
PO Box 53999
Phoenix AZ 85072-3999
jana.vanness@aps.com

Kelly Barr
Jana Brandt
SRP, Mail Station PAB 211
PO Box 52025
Phoenix AZ 85072-2025
kjbarrr@srpnet.com
jkbrandt@srpnet.com

Vicki G. Sandler
c/o Linda Spell
APS Energy Services
PO Box 53901
Mail Station 8103
Phoenix AZ 85072-3901
linda_spell@apses.com

Mary-Ellen Kane
ACAA
2627 N. 3d St., Suite 2
Phoenix AZ 85004
mkane@azcaa.org

Aaron Thomas
AES NewEnergy
350 S. Grand Ave., Suite 2950
Los Angeles CA 90071
aaron.thomas@aes.com

Theresa Mead
AES NewEnergy
PO Box 65447
Tucson AZ 85728
theresa.mead@aes.com

Robert Annan
AZ Clean Energy Industries Alliance
6605 E. Evening Glow Dr
Scottsdale AZ 85262
annan@primenet.com

Philip Key
Renewable Energy Leadership Group
10631 E. Autumn Sage Dr
Scottsdale AZ 85259
keytaic@aol.com
Paul Bullis
Office of the Attorney General
1275 W. Washington St.
Phoenix AZ 85007
paul.bullis@ag.state.az.us

Laurie Woodall
Office of the Attorney General
15 S. 15th Ave.
Phoenix AZ 85007
laurie.woodall@ag.state.az.us

Larry F. Eisenstat
Frederick D. Ochsenhirt
Dickstein Shapiro Morin & Oshinsky
2101 L Street NW
Washington DC 20037
eisenstatl@dsmo.com
ochsenhirtf@dsmo.com

David Crabtree
Dierdre Brown
Teco Power Services
PO Box 111
Tampa FL 33602
dacrabtree@tecoenergy.com
dabrown@tecoenergy.com

Michael Trentel
Patrick Burnett
Panda Energy International
4100 Spring Valley Suite 1010
Dallas TX 75244
michaelt@pandaenergy.com
patb@pandaenergy.com

Lawrence V. Robertson, Jr.
Munger Chadwick, PLC
National Bank Plaza
333 North Wilmot, Suite 300
Tucson AZ 85711
lvrobertson@mungerchadwick.com

Tom Wray
Southwestern Power Group II
twray@southwesternpower.com

Michael Grant
Gallagher & Kennedy
2575 East Camelback Road
Phoenix Arizona 85016-9225
mmg@gknet.com

Patricia Cooper
AEP/SSWEPCO
1000 South Highway 80
Benson, Arizona 85602
pcooper@aepnet.org

Kevin McSpadden
Milbank, Tweed, Hadley and McCloy
601 S. Figueroa, 30th Floor
Los Angeles California 90017
kmcspadden@milbank.com

Patrick J. Sanderson
Arizona Independent Scheduling
Administrator Assn
P.O. Box 6277
Phoenix Arizona 85005-6277
psanderson@az-isa.org

Roger K. Ferland
Quarles & Brady Streich Lang
Renaissance One
Two North Central
Phoenix AZ 85004-2391
rferland@quarles.com

Jeffrey B. Guldner
Snell & Wilmer
One Arizona Center
Phoenix AZ 85004
jguldner@swlaw.com

Thomas L. Mumaw
Pinnacle West
PO Box 53999 MS 8695
Phoenix AZ 85072-3999
Thomas.mumaw@pinnaclewest.com

Michael L. Kurtz
Borhm Kurtz & Lowry
36 E. Seventh Street, Suite 2210
Cincinnati OH 45202
mkurtzlaw@aol.com

William P. Inman
General Counsel
Arizona Department of Revenue
1600 West Monroe, Room 911
Phoenix AZ 85007
inmanw@revenue.state.az.us

Robert Baltes, President
Arizona Cogeneration Association
Baltes/Valentino Associates Limited
7250 North 16th Street, Suite 102
Phoenix AZ 85020-5270
bbaltes@bvaeng.com

Howard Geller
SWEEP
2260 Baseline Rd., Suite 212
Boulder CO 80302
hgeller@swenergy.org

Jeff Schlegel
SWEEP
1167 Salamayuca Dr
Tucson AZ 85704
schlegelj@aol.com

Peter Van Haren
City of Phoenix
attn: Jesse Sears
200 W. Washington
Phoenix AZ 85003
jesse.sears@phoenix.gov

Greg Patterson
Arizona Competitive Power Alliance
245 West Roosevelt
Phoenix AZ 85003
gpattersoncpa@aol.com

Robert S. Lynch
Arizona Transmission Dependent
Utility Group
340 East Palm Lake, Suite 140
Phoenix AZ 85004-4529
rslynchaty@aol.com

Walter W. Meek, President
Arizona Utility Investors Association
2100 N. Central, Suite 210
Phoenix AZ 85004
meek@auia.org

Scott S. Wakefield
RUCO
1110 W. Washington, Suite 220
Phoenix AZ 85007
swakefield@azruco.com

Carl Dabelstein
Citizens Communications
2901 N. Central Ave., Suite 1660
Phoenix AZ 85012
cdabelst@czn.com

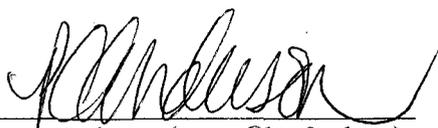
Kevin C. Higgins
Energy Strategies
30 Market Street, Suite 200
Salt Lake City UT 84101
khiggins@energystrat.com

C. Webb Crockett
Jay L. Shapiro
Fennemore Craig
3003 N. Central. Suite 2600
Phoenix AZ 85012-2913
jshapiro@fclaw.com;
wcrockett@fclaw.com

Curtis Kebler
Reliant Resources
8996 Etiwanda Ave
Rancho Cucamonga CA 91739
ckebler@reliant.com

David Couture
TEP
4350 E. Irvington Rd
Tucson AZ 85714
dcouture@tucsonelectric.com

Tom Broderick
PG&E National Energy Group
1100 Louisiana, Suite 1650
Houston TX 77002
tom.broderick@neg.pge.com



Penny Anderson (penny@lawfund.org)