



0000070664

EXCEPTION

ORIGINAL

RECEIVED

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

BEFORE THE ARIZONA CORPORATION COMMISSION P 3: 48

MARC SPITZER
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER
JEFF HATCH-MILLER
COMMISSIONER
MIKE GLEASON
COMMISSIONER

Arizona Corporation Commission

DOCKETED

FEB 10 2003

DOCKETED BY

AZ CORP COMMISSION
DOCUMENT CONTROL

AZ CORP COMMISSION
DOCUMENT CONTROL

2003 FEB 10 P 3: 48

RECEIVED

IN THE MATTER OF THE GENERIC) DOCKET NO. E-00000A-02-0051
PROCEEDING CONCERNING ELECTRIC)
RESTRUCTURING ISSUES)

IN THE MATTER OF ARIZONA PUBLIC) DOCKET NO. E-01345A-01-0822
SERVICE COMPANY'S REQUEST FOR)
VARIANCE OF CERTAIN REQUIREMENTS)
OF A.A.C. R14-2-1606)

IN THE MATTER OF THE GENERIC) DOCKET NO. E-00000A-01-0630
PROCEEDING CONCERNING THE ARIZONA)
INDEPENDENT SCHEDULING)
ADMINISTRATOR)

IN THE MATTER OF TUCSON ELECTRIC) DOCKET NO. E-01933A-02-0069
POWER COMPANY'S APPLICATION FOR A)
VARIANCE OF CERTAIN ELECTRIC)
COMPETITION RULES COMPLIANCE)
DATES)

**RELIANT RESOURCES, INC.'S
NOTICE OF FILING EXCEPTIONS
TO STAFF'S RECOMMENDED ORDER AND OPINION**

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

RESPECTFULLY submitted this 10th day of February, 2003.

MARTINEZ & CURTIS, P.C.

By 

Michael A. Curtis
William P. Sullivan
2712 North Seventh Street
Phoenix, Arizona 85006-1090
Attorneys for Reliant Resources, Inc.

1755\4\Track B Hearing\Pleadings\notice of filing exceptions.0210.03

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

BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER
JEFF HATCH-MILLER
COMMISSIONER
MIKE GLEASON
COMMISSIONER

IN THE MATTER OF THE GENERIC) DOCKET NO. E-00000A-02-0051
PROCEEDING CONCERNING ELECTRIC)
RESTRUCTURING ISSUES)

IN THE MATTER OF ARIZONA PUBLIC) DOCKET NO. E-01345A-01-0822
SERVICE COMPANY'S REQUEST FOR)
VARIANCE OF CERTAIN REQUIREMENTS)
OF A.A.C. R14-2-1606)

IN THE MATTER OF THE GENERIC) DOCKET NO. E-00000A-01-0630
PROCEEDING CONCERNING THE ARIZONA)
INDEPENDENT SCHEDULING)
ADMINISTRATOR)

IN THE MATTER OF TUCSON ELECTRIC) DOCKET NO. E-01933A-02-0069
POWER COMPANY'S APPLICATION FOR A)
VARIANCE OF CERTAIN ELECTRIC)
COMPETITION RULES COMPLIANCE)
DATES)

EXCEPTIONS OF RELIANT RESOURCES, INC.

Reliant Resources, Inc. ("Reliant"), expresses its appreciation to the
Commissioners, Administrative Law Judge Teena Wolfe ("ALJ Wolfe"), Arizona
Corporation Commission Staff ("Staff") and the other parties for their tireless

1 commitment to creating a fair and open wholesale competitive solicitation process.
2 While Reliant agrees with the majority of the Recommended Opinion and Order
3 issued January 29, 2003 (the "ROO" or "Recommendation"), it files these exceptions
4 pursuant to A.A.C. R14-3-110(B) to those portions of the Recommendation that
5 conclude or imply that an auction may not be used (see, e.g., ROO, p. 38, ll. 26-28; p.
6 39, ll. 1-3; p. 59, ll. 19-24, Finding of Facts (FF) No. 54); that the Staff's withdrawn
7 proposal of a "Price to Beat" will be implemented (ROO, p. 76, ll. 2-4); and to clarify
8 other statements regarding the competitive solicitation (FF 65).

9
10 **I. BACKGROUND**

11 The Recommendation, *inter alia*, adopts the Detailed Staff Proposed
12 Solicitation Process of October 25, 2002 ("Staff Report"). APS and TEP are further
13 ordered to comply with the requirements of the Staff Report and numerous other
14 directives related to a competitive procurement for certain utility power supplies as
15 described in the Recommendation. As explained below, Reliant supports much of the
16 Recommendation as part of the transition to a fully competitive electric market.

17 **II. RELIANT IS GENERALLY SUPPORTIVE OF THE**
18 **RECOMMENDATION**

19 ALJ Wolfe utilizes market-based principles to bring the advantages of
20 competition directly to Arizona's consumers. If adopted by the Arizona Corporation
21 Commission (the "Commission"), the Recommendation will further support the
22 development of a robust and competitive wholesale market via a fair and open
23 competitive procurement. Specifically, Reliant supports the Recommendation's
24 adoption of the Staff's proposed levels of contestable load. A successful solicitation
25
26

1 for the amount of capacity and energy as proposed by Staff will accomplish many of
2 the previously stated goals of the Commission.

3 Furthermore, Reliant supports the efforts of the Commission to ensure
4 that the competitive solicitation is open and fair with necessary language regarding
5 the interaction of utilities and their unregulated affiliates in the competitive
6 solicitation. The Recommendation provides appropriate interim measures until the
7 Commission can consider an updated Code of Conduct and Standards of Conduct.
8

9 However, as discussed below, Reliant believes that some portions of the
10 Recommendation are inaccurate, unsupported by the record or are unclear and
11 therefore, should be corrected or stricken.

12 **III. AN AUCTION PROCESS WILL PROVIDE BENEFITS FOR ALL**
13 **PARTIES, INCLUDING THE ARIZONA CONSUMER, AND SHOULD**
14 **NOT BE PRECLUDED FROM THIS OR FUTURE COMPETITIVE**
SOLICITATIONS

15 The record provides no support for ordering APS or TEP to use requests
16 for proposals ("RFPs") as the exclusive method for securing contestable load. In fact,
17 the Staff Report, as adopted by the Recommendation, supports at least two methods
18 for competitive solicitation. One of those methods is a descending clock auction.¹
19 (ROO, p. 76, ll. 2-4; Staff Report p. 17, ll. 7-11) Reliant presented evidence that a
20 competitive solicitation utilizing an auction can and will achieve the Commission's
21 stated goals to encourage a phase-in to competition, encourage the development of a
22 robust market for wholesale generation, and obtain some benefits of the new Arizona
23 generation resources, while at the same time protecting ratepayers. (See Reliant-1, p.
24

25 _____
26 ¹ The other explicitly mentioned solicitation method is the request for proposal.

1 3-4; p.9) No party demonstrated that an auction process could not accomplish these
2 stated goals. Reliant further posited, without contention, that standardized products
3 could facilitate achievement of these same goals. In addition, consistent with
4 Reliant's desire for market-based mechanisms to accommodate competition in
5 Arizona, Reliant supported the APS compromise proposal for a quarterly auction of
6 economy energy needs. (ROO, p.32, ll. 20-27). The sole issue presented by the
7 testimony was whether APS and TEP should be compelled to secure a portion of the
8 contestable load through an auction process in this initial solicitation. No party
9 suggested APS and TEP should be precluded from using an auction process.
10

11 The ROO accepts the position of APS that "there is insufficient time to
12 develop an auction ... for the first solicitation" and then concludes, "it appears that an
13 RFP will be the better means of providing the utilities with the broadest array of
14 responses from which to choose." (ROO, p. 38, ll. 26-28; p. 39, ll.1-3). Furthermore,
15 the Recommendation rejects APS' proposal of a quarterly auction process for
16 solicitation of economy energy purchases "as a compromise to including the disputed
17 economy energy in contestable load"(ROO, p.32, ll. 20-27) and fails to specifically
18 reference auctions as an acceptable blind procurement technique for short term
19 purchases. (p. 52, ll. 18-20; p. 59, ll. 19-24, Finding of Facts (FF) No. 54.) These
20 provisions of the Recommendation, taken together, might be construed later as
21 precluding the use of the auction process despite adoption of the Staff Report.
22

23 Reliant, therefore, requests that the Recommendation be clarified to
24 ensure the auction process is available at the utility's option in this first solicitation
25
26

1 and to further encourage the use of the auction process in future solicitations. With
2 this in mind, the Recommendation should be amended as follows:

3 1. Page 39, line 3 should be amended by adding: Therefore, the
4 proposals of APS and TEP to rely exclusively on the RFP methodology for the first
5 solicitation is approved, but the utilities are encouraged to use diverse procurement
6 methods in future solicitations, including auctions.

7 2. Finding of Fact No. 54 (page 72) should be amended to read:
8 “APS shall adopt the practice of using “blind” procurement techniques, such as
9 electronic trading platforms, electronic auctions, or independent brokers, for all its
10 short term purchases with the exception of emergency purchases. APS shall file a
11 draft protocol adopting this practice, for Commission approval, by March 20, 2003.”

12 3. Finding of Fact No. 59 (page 73) should be amended to read: “In
13 the event a TEP affiliate does plan to offer power on the wholesale market, TEP shall
14 adopt the practice of using “blind” procurement techniques, such as electronic trading
15 platforms, electronic auctions, or independent brokers, for all its short term purchases
16 with the exception of emergency purchases. TEP shall file a draft protocol adopting
17 this practice, for Commission approval, 60 days prior to a TEP affiliate offering any
18 power on the wholesale market.”

19
20 Finally, Reliant notes that the Recommendation at page 38, lines 23-26
21 inaccurately states: “Despite the fact that the parties have worked toward general
22 agreement regarding this solicitation, there is no general agreement of the parties on
23 standard products, and such agreement would be a requirement of a fair, open and
24 transparent solicitation process through an auction.” In fact, the products being
25
26

1 suggested by both APS and TEP are standard in nature. (See, APS-2, p.7, ll. 11-26; p.
2 8, ll. 1-8; TEP-1, p. 10, ll.6-23.) Furthermore, there is no requirement that the parties
3 agree on the product for an auction to be appropriate, only that the product be one
4 generally understood by and available on the wholesale market. (Staff Report at p. 1;
5 Reliant-1 at p. 3.) Therefore, Reliant respectfully requests the sentence at page 38,
6 lines 23-26 be deleted.

7
8 **IV. THE STAFF'S "PRICE TO BEAT" PROPOSAL SHOULD BE**
9 **EXPLICITLY REMOVED FROM THE STAFF REPORT**

10 Just prior to the hearing Staff officially withdrew its "Price to Beat"
11 proposal Staff had detailed in the Staff Report (see, e.g. S-2, p.1; Staff Report at p. 14,
12 l. 18; p. 24, ll. 24-28; p. 25, ll. 1-27, p. 26, ll. 1-14). Staff reiterated the withdrawal of
13 their proposal during the Track B hearing. However, the portion of the Staff report
14 attached as Exhibit A to the Recommendation still contains the "Price to Beat"
15 concept and therefore the Recommendation needs to be amended to reflect this
16 portion of the Staff Report is not being adopted. Further, neither the record nor the
17 Recommendation support a finding that expedited approval of procurement contracts
18 entered as a result of the competitive solicitation "would pose a substantial risk to
19 consumers." To deal with these two issues Reliant suggests amending Finding of Fact
20 65 to read: "The "Price to Beat" concept (page 24, line 24 through page 26, line 14 of
21 the Staff Report, attached hereto as Exhibit A) was abandoned at hearing and the
22 expedited approval of procurement contracts entered as a result of the competitive
23 solicitation is not necessary at this time for the protection of either the utilities or the
24 merchants and neither is adopted by the Commission."
25
26

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

V. CONCLUSION

Reliant supports a competitive market for electricity. The results of the Track B process will provide an important milestone in Arizona's transition to a competitive market. This competition will be to the benefit of Arizona's consumers. Reliant finds the Recommendation of ALJ Wolfe represents a reasonable framework from which the Arizona utilities can procure power supplies in an open and fair manner. The Recommendation, however, should be amended as set forth in these Exceptions to be consistent with the record and to be internally consistent.

WHEREFORE, Reliant Resources, Inc. respectfully requests the Arizona Corporation Commission adopt the amendments to the Recommendation set forth above and attached hereto as Exhibit A for the Commission's convenience.

RESPECTFULLY submitted this 10th day of February, 2003.

MARTINEZ & CURTIS, P.C.

By 
Michael A. Curtis
William P. Sullivan
2712 North Seventh Street
Phoenix, Arizona 85006-1090
Attorneys for Reliant Resources, Inc.

EXHIBIT A
RELIANT RESOURCES, INC.'S EXCEPTIONS

PROPOSED AMENDMENTS
TO RECOMMENDED OPINION AND ORDER (Track B)
DOCKET NOS.E-00000A-02-0051, E-01345A-01-0822;
E-00000A-01-0630;E-01933A-02-0069; AND E-01933A-98-0471

1
2
3
4
5 1. At page 38, lines 23-26 **delete** the sentence that reads: “Despite the
6 fact that the parties have worked toward general agreement regarding this
7 solicitation, there is no general agreement of the parties on standards products, and
8 such agreement would be a requirement of a fair, open, and transparent solicitation
9 process through an auction.”

10
11 2. At page 39, lines 3 **amend** by **inserting** the following new sentence
12 after the period: “Therefore, the proposals of APS and TEP to rely exclusively on
13 the RFP methodology for the first solicitation is approved, but the utilities are
14 encouraged to use diverse procurement methods in future solicitations, including
15 auctions.”

16
17
18 3. At page 72, lines 13 through 16 **amend** Finding of Fact No. 54 by
19 **inserting** a reference to “electronic auctions” as follows: “APS shall adopt the
20 practice of using “blind” procurement techniques, such as electronic trading
21 platforms, electronic auctions, or independent brokers, for all of its short term
22 purchases with the exception of emergency purchases. APS shall file a draft
23 protocol adopting this practice, for Commission approval, by March 30, 2003.”
24
25
26

4. At page 73, lines 6 through 10 **amend** Finding of Fact No. 59 by **inserting** a reference to “electronic auctions” as follows: “In the event a TEP affiliate does plan to offer power on the wholesale market, TEP shall adopt the practice of using “blind” procurement techniques, such as electronic trading platforms, electronic auctions, or independent brokers, for all of its short term purchases with the exception of emergency purchases. TEP shall file a draft protocol adopting this practice, for Commission approval, 60 days prior to a TEP affiliate offering any power on the wholesale market.”

5. At page 74, lines 9 through 11 **delete** the existing Finding of Fact No. 65 and **insert** new Finding of Fact No. 65 as follows (underlined portions represent additions; deletions are not shown): “The “Price to Beat” concept (page 24, line 24 through page 26, line 14 of the Staff Report, attached hereto as Exhibit A) was abandoned at hearing and the expedited approval of procurement entered as a result of the competitive solicitation is not necessary at this time for the protection of either the utilities or the merchants and neither is adopted by the Commission.”

1 Original and nineteen (19) copies of the foregoing document filed with service list this 10th day of February,
2003 with:

2 Docket Control
3 Arizona Corporation Commission
1200 West Washington Street
4 Phoenix, Arizona 85007

5 Copies of the foregoing hand-delivered without a copy of the service list this 10th day of February, 2003 to:

6 Marc Spitzer, Chairman
Arizona Corporation Commission
1200 West Washington Street
7 Phoenix, Arizona 85007

Jodi Jerich
Aide to Commissioner Gleason
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

8 Jim Irvin, Commissioner
Arizona Corporation Commission
1200 West Washington Street
9 Phoenix, Arizona 85007

Dean Miller
Aide to Commissioner Hatch-Miller
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

10 William A. Mundell, Commissioner
11 Arizona Corporation Commission
1200 West Washington Street
12 Phoenix, Arizona 85007

Ernest Johnson, Director
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

13 Mike Gleason, Commissioner
Arizona Corporation Commission
1200 West Washington Street
14 Phoenix, Arizona 85007

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

15 Jeff Hatch-Miller, Commissioner
Arizona Corporation Commission
1200 West Washington Street
16 Phoenix, Arizona 85007

Christopher Kempley, Chief Counsel
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

17 Paul Walker
18 Aide to Chairman Spitzer
Arizona Corporation Commission
1200 West Washington Street
19 Phoenix, Arizona 85007

Jerry Smith
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

20 Kevin Barley
21 Aide to Commissioner Irvin
Arizona Corporation Commission
1200 West Washington Street
22 Phoenix, Arizona 85007

Brian McNeil, Executive Secretary
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

23 Hercules Dellas
24 Aide to Chairman Mundell
Arizona Corporation Commission
1200 West Washington Street
25 Phoenix, Arizona 85007

Steve Olea, Asst. Director
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

26

1 Copies of the foregoing mailed and/or emailed to those appearing on Staff's 9/18/02 service list this 10th day of
2 February, 2003

3 Lindy Funkhouser
4 Scott S. Wakefield
5 RUCO
6 1110 W. Washington, Suite 220
7 Phoenix, Arizona 85007
8 swakefield@azruco.com

9 Michael A. Curtis
10 William P. Sullivan
11 Paul R. Michaud
12 Martinez & Curtis, P.C.
13 2712 North 7th Street
14 Phoenix, Arizona 85006
15 Attorneys for Arizona Municipal Power Users
16 Association, Mohave Electric Cooperative, Inc.,
17 Navopache Electric Cooperative, Inc., Reliant
18 Resources, Inc. & Primesouth, Inc.;
19 Wellton-Mohawk Generating Facility
20 mcurtis401@aol.com
21 wsullivan@martinezcurtis.com
22 pmichaud@martinezcurtis.com

23 Walter W. Meek, President
24 ARIZONA UTILITY INVESTORS
25 ASSOCIATION
26 2100 N. Central Avenue, Suite 210
Phoenix, Arizona 85004
meek@auia.org

Rick Gilliam
Eric C. Guidry
LAND AND WATER FUND OF THE ROCKIES
ENERGY PROJECT
2260 Baseline Road, Suite 200
Boulder, Colorado 80302

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

Norman J. Furuta
DEPARTMENT OF THE NAVY
900 Commodore Drive, Building 107
San Bruno, California 94066-5006

Barbara S. Bush
COALITION FOR RESPONSIBLE ENERGY
EDUCATION
315 West Riviera Drive
Tempe, Arizona 85252

Rick Lavis
ARIZONA COTTON GROWERS
ASSOCIATION
4139 East Broadway Road
Phoenix, Arizona 85040

Steve Brittle
DON'T WASTE ARIZONA, INC.
6205 South 12th Street
Phoenix, Arizona 85040

COLUMBUS ELECTRIC COOPERATIVE, INC.
P.O. Box 631
Deming, New Mexico 88031

CONTINENTAL DIVIDE ELECTRIC
COOPERATIVE
P.O. Box 1087
Grants, New Mexico 87020

DIXIE ESCALANTE RURAL ELECTRIC
ASSOCIATION
CR Box 95
Beryl, Utah 84714

GARKANE ENERGY COOPERATIVE, INC.
120 West 300 South
P.O. Box 465
Loa, Utah 84747

ARIZONA DEPT OF COMMERCE
ENERGY OFFICE
3800 North Central Avenue, 12th Floor
Phoenix, Arizona 85012

ARIZONA COMMUNITY ACTION ASSOC.
2627 N. 3rd Street, Suite 2
Phoenix, Arizona 85004

TUCSON ELECTRIC POWER CO.
Legal Dept - DB203
220 W 6th Street
P.O. Box 711
Tucson, Arizona 85702-0711

A.B. Baardson
NORDIC POWER
6464 N. Desert Breeze Ct.
Tucson, Arizona 85750-0846

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

Jessica Youle
PAB300
SALT RIVER PROJECT
P.O. Box 52025
Phoenix, Arizona 85072-2025

Joe Eichelberger
MAGMA COPPER COMPANY
P.O. Box 37
Superior, Arizona 85273

Deborah R. Scott
CITIZENS UTILITIES COMPANY
2901 N. Central Avenue, Suite 1660
Phoenix, Arizona 85012-2736
drscott@czn.com

Barry Huddleston
DESTEC ENERGY
P.O. Box 4411
Houston, Texas 77210-4411

Steve Montgomery
JOHNSON CONTROLS
2032 West 4th Street
Tempe, Arizona 85281

Terry Ross
CENTER FOR ENERGY AND
ECONOMIC DEVELOPMENT
P.O. Box 288
Franktown, Colorado 80116-0288

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

Jim Driscoll
ARIZONA CITIZEN ACTION
5160 E. Bellevue Street, Apt. 101
Tucson, AZ 85712-4828

William Baker
ELECTRICAL DISTRICT NO. 6
7310 N. 16th Street, Suite 320
Phoenix, Arizona 85020

Robert Julian
PPG
1500 Merrell Lane
Belgrade, Montana 59714

C. Webb Crockett
Jay L. Shapiro
FENNEMORE CRAIG, PC
3003 N. Central Avenue, Suite 2600
Phoenix, Arizona 85012-2913
Attorneys for Panda Gila River, L.P.
Wcrocket@fclaw.com
Jshapiro@fclaw.com

Robert S. Lynch
340 E. Palm Lane, Suite 140
Phoenix, Arizona 85004-4529
Attorney for Arizona Transmission Dependent
Utility Group
rslunchaty@aol.com

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

Carl Robert Aron
Executive Vice President and COO
ITRON, INC.
2818 N. Sullivan Road
Spokane, Washington 99216

Douglas Nelson
DOUGLAS C. NELSON PC
7000 N. 16th Street, Suite 120-307
Phoenix, Arizona 85020-5547
Attorney for Calpine Power Services

Lawrence V. Robertson Jr.
MUNGER CHADWICK, PLC
333 North Wilmot, Suite 300
Tucson, Arizona 85711-2634
Attorney for Southwestern Power Group, II, LLC;
Bowie Power Station, LLC; Toltec Power Station,
LLC; and Sempra Energy Resources
Lvrobertson@mungerchadwick.com

Tom Wran
Southwestern Power Group II
Twray@southwesternpower.com

Theodore E. Roberts
SEMPRA ENERGY RESOURCES
101 Ash Street, HQ 12-B
San Diego, California 92101-3017
Troberts@sempra.com

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

Albert Sterman
ARIZONA CONSUMERS COUNCIL
2849 East 8th Street
Tucson, Arizona 85716

Michael Grant
GALLAGHER & KENNEDY
2575 East Camelback Road
Phoenix, Arizona 85016-9225
Attorneys for AEPCO, Graham County Electric
Cooperative, and Duncan Valley Electric
Cooperative.
Mmg@gknet.com

Vinnie Hunt
CITY OF TUCSON
Department of Operations
4004 S. Park Avenue, Building #2
Tucson, Arizona 85714

Ryle J. Carl III
INTERNATION BROTHERHOOD OF
ELECTRICAL WORKERS, L.U. #1116
750 S. Tucson Blvd.
Tucson, Arizona 85716-5698

Carl Dabelstein
CITIZENS COMMUNICATIONS
2901 N. Central Ave., Suite 1660
Phoenix, Arizona 85012
cdabelst@czn.com

William J. Murphy
CITY OF PHOENIX
200 West Washington Street, Suite 1400
Phoenix, Arizona 85003-1611
Bill.murphy@phoenix.gov

Russell E. Jones
WATERFALL ECONOMIDIS CALDWELL
HANSHAW & VILLAMANA, P.C.
5210 E. Williams Circle, Suite 800
Tucson, Arizona 85711
Attorneys for Trico Electric Cooperative, Inc.
Rjones@wechv.com

Christopher Hitchcock
HITCHCOCK & HICKS
P.O. Box 87
Bisbee, Arizona 85603-0087
Attorney for Sulphur Springs Valley
Electric Cooperative, Inc.
Lawyers@bisbeelaw.com

Andrew Bettwy
Debra Jacobson
SOUTHWEST GAS CORPORATION
5241 Spring Mountain Road
Las Vegas, Nevada 89150-0001

Barbara R. Goldberg
OFFICE OF THE CITY ATTORNEY
3939 Civic Center Blvd.
Scottsdale, Arizona 85251

Bradford A. Borman
PACIFICORP
201 S. Main, Suite 2000
Salt Lake City, Utah 84140

Timothy M. Hogan
ARIZONA CENTER FOR LAW
IN THE PUBLIC INTEREST
202 E. McDowell Rd., Suite 153
Phoenix, Arizona 85004

Marcia Weeks
18970 N. 116th Lane
Surprise, Arizona 85374

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

Timothy Michael Toy
WINTHROP, STIMSON, PUTNAM & ROBERTS
One Battery Park Plaza
New York, New York 10004-1490

Raymond S. Heyman
Michael W. Patten
ROSHKA HEYMAN & DEWULF, PLC
400 E. Van Buren, Suite 800
Phoenix, Arizona 85004
Attorneys for Tucson Electric Power Co.
Rheyman@rhd-law.com

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

Billie Dean
AVIDD
P O Box 97
Marana, Arizona 85652-0987

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

Steven C. Gross
PORTER SIMON
40200 Truckee Airport Road
Truckee, California 96161-3307
Attorneys for M-S-R Public Power Agency

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

Ward Camp
PHASER ADVANCED METERING SERVICES
400 Gold SW, Suite 1200
Albuquerque, New Mexico 87102

Betsy Galtney
IDAHO POWER COMPANY
P.O. Box 70
Boise, Idaho 83707
bgaltney@idahopower.com

Libby Brydolf
CALIFORNIA ENERGY MARKETS
NEWSLETTER
2419 Bancroft Street
San Diego, California 92104

Paul W. Taylor
R W BECK
14635 N. Kierland Blvd., Suite 130
Scottsdale, Arizona 85254-2769

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

Jay I. Moyes
MOYES STOREY
3003 N. Central Ave., Suite 1250
Phoenix, Arizona 85012
Attorneys for PPL Southwest Generation Holdings,
LLC; PPL EnergyPlus, LLC and PPL Sundance
Energy, LLC
Jimoyes@lawms.com

Stephen L. Teichler
Stephanie A. Conaghan
DUANE MORRIS & HECKSCHER, LLP
1667 K Street NW, Suite 700
Washington, DC 20006

Kathy T. Puckett
SHELL OIL COMPANY
200 N. Dairy Ashford
Houston, Texas 77079

Peter Q. Nyce, Jr.
DEPARTMENT OF THE ARMY
JALS-RS Suite 713
901 N. Stuart Street
Arlington, Virginia 22203-1837

Michelle Ahlmer
ARIZONA RETAILERS ASSOCIATION
224 W. 2nd Street
Mesa, Arizona 85201-6504

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

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

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

Patricia Cooper
AEP/CO/SSWEP/CO
P.O. Box 670
Benson, Arizona 85602
Pcooper@aepnet.org

Steve Segal
LEBOEUF, LAMB, GREENE, & MACRAE
633 17th Street, Suite 2000
Denver, Colorado 80202-3620

Holly E. Chastain
SCHLUMBERGER RESOURCE
MANAGEMENT SERVICES, INC.
5430 Metric Place
Norcross, Georgia 30092-2550

Leslie Lawner
ENRON CORP
712 North Lea
Roswell, New Mexico 88201

1 Alan Watts
Southern California Public Power Agency
2 529 Hilda Court
Anaheim, California 92806

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

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

9 Brian Soth
FIRSTPOINT SERVICES, INC.
1001 S.W. 5th Ave, Suite 500
Portland, Oregon 97204

11 Jay Kaprosy
PHOENIX CHAMBER OF COMMERCE
201 N. Central Ave., 27th Floor
12 Phoenix, Arizona 85073

13 Kevin McSpadden
MILBANK, TWEED, HADLEY AND
14 MCCLOY, LLP
601 S. Figueroa, 30th Floor
15 Los Angeles, California 90017

16 M.C. Arendes, Jr.
C3 COMMUNICATIONS, INC.
2600 Via Fortuna, Suite 500
17 Austin, Texas 78746

18 Patrick J. Sanderson
ARIZONA INDEPENDENT SCHEDULING
19 ADMINISTRATOR ASSOCIATION
P.O. Box 6277
20 Phoenix, Arizona 85005-6277
Psanderson@az-isa.org

21 Roger K. Ferland
22 QUARLES & BRADY STREICH LANG, L.L.P.
Renaissance One
23 Two North Central Avenue
Phoenix, Arizona 85004-2391
Rferland@quarles.com

24 Charles T. Stevens
25 Arizonans for Electric Choice & Competition
245 W. Roosevelt
26 Phoenix, Arizona 85003

Mark Sirois
ARIZONA COMMUNITY ACTION ASSOC.
2627 N. Third Street, Suite 2
Phoenix, Arizona 85004

Jeffrey Guldner
SNELL & WILMER
400 E. Van Buren,
One Arizona Center
Phoenix, Arizona 85004-0001
jguldner@swlaw.com

Steven J. Duffy
RIDGE & ISAACSON PC
3101 N. Central Avenue, Suite 740
Phoenix, Arizona 85012

Greg Patterson
5432 E. Avalon
Phoenix, Arizona 85018
Gpattersoncpa@aol.com

John Wallace
Grand Canyon State Electric Co-op
120 N. 44th Street, Suite 100
Phoenix, Arizona 85034-1822
jwallace@gcseca.org

Steven Lavigne
DUKE ENERGY
4 Triad Center, Suite 1000
Salt Lake City, Utah 84180

Dennis L. Delaney
K.R. SALINE & ASSOC.
160 N. Pasadena, Suite 101
Mesa, Arizona 85201-6764

Kevin C. Higgins
ENERGY STRATEGIES, LLC
30 Market Street, Suite 200
Salt Lake City, Utah 84101
khiggins@energystrat.com

Michael L. Kurtz
BORHM KURTZ & LOWRY
36 E. Seventh Street, Suite 2110
Cincinnati, Ohio 45202
Mkurtzlaw@aol.com

David Berry
P.O. Box 1064
Scottsdale, Arizona 85252
azbluhill@aol.com

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

William P. Inman
Dept. of Revenue
1600 W. Monroe, Room 911
Phoenix, Arizona 85007
InmanW@revenue.state.az.us

Robert Baltes
ARIZONA COGENERATION ASSOC.
7250 N. 16th Street, Suite 102
Phoenix, Arizona 85020-5270
Rbaltes@bvaeng.com

Jana Van Ness
APS
Mail Station 9905
P.O. Box 53999
Phoenix, Arizona 85072-3999
Jana.vanness@aps.com

David Couture
TEP
4350 E. Irvington Road
Tucson, Arizona 85714
dcouture@tucsonelectric.com

Kelly Barr/Jana Brandt
SRP
Mail Station PAB211
P.O. Box 52025
Phoenix, Arizona 85072-2025
Kjbarr@srpnet.com
Jkbrandt@srpnet.com

Randall H. Warner
JONES SKELTON & HOCHULI PLC
2901 N. Central Avenue, Suite 800
Phoenix, Arizona 85012

John A. LaSota, Jr.
MILLER LASOTA & PETERS, PLC
5225 N. Central Ave., Suite 235
Phoenix, Arizona 85012

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

Joan Walker-Ratliff
Conoco Gas and Power Marketing
1000 S. Pine,
P.O. Box 1267 125-4 ST
Ponca City, Oklahoma 74602
Joan.walker-ratliff@conoco.com

Vicki G. Sandler
C/o Linda Spell
APS Energy Services
P.O. Box 53901
Mail Station 8103
Phoenix, Arizona 85072-3901
Linda_spell@apses.com

Lori Glover
STIRLING ENERGY SYSTEMS
2920 E. Camelback Rd., Suite 150
Phoenix, Arizona 85016
Lglover@stirlingenergy.com

Jeff Schlegel
SWEEP
1167 Samalayuca Drive
Tucson, Arizona 85704-3224
Schlegelj@aol.com

Howard Geller
SWEEP
2260 Baseline Rd., Suite 200
Boulder, Colorado 80302
Hgeller@swenergy.org

Mary-Ellen Kane
ACAA
2627 N. 3rd Street, Suite Two
Phoenix, Arizona 85004
Mkane@azcaa.org

Aaron Thomas
AES NewEnergy
350 S. Grand Avenue, Suite 2950
Los Angeles, California 90071
Aaron.thomas@aes.com

Theresa Mead
AES NewEnergy
P.O. Box 65447
Tucson, Arizona 85728
Theresa.mead@aes.com

Peter Van Haren
CITY OF PHOENIX
Attn: Jesse W. Sears
200 W. Washington Street, Suite 1300
Phoenix, Arizona 85003-1611
Jesse.sears@phoenix.gov

1 Robert Annan
ARIZONA CLEAN ENERGY INDUSTRIES
2 ALLIANCE
6605 E. Evening Glow Drive
3 Scottsdale, Arizona 85262
Annan@primenet.com

4 Curtis L. Kebler
RELIANT RESOURCES, INC.
5 8996 Etiwanda Avenue
Rancho Cucamonga, California 91739
6 ckebler@reliant.com

7 Philip Key
RENEWABLE ENERGY LEADERSHIP GROUP
8 10631 E. Autumn Sage Drive
Scottsdale, Arizona 85259
9 Keytaic@aol.com

10 Paul Bullis
OFFICE OF THE ATTORNEY GENERAL
11 1275 W. Washington Street
Phoenix, Arizona 85007
12 Paul.bullis@ag.state.az.us

13 Laurie Woodall
OFFICE OF THE ATTORNEY GENERAL
14 15 S. 15th Avenue
Phoenix, Arizona 85007
15 Laurie.woodall@ag.state.az.us

16 Donna M. Bronski
CITY OF SCOTTSDALE
17 3939 N. Drinkwater Blvd
Scottsdale, Arizona 85251
18 Dbronski@ci.scottsdale.az.us

19 Larry F. Eisenstat
Frederick D. Ochsenhirt
Michael R. Engleman
20 DICKSTEIN SHAPIRO et al.
21 2101 L Street, NW
Washington, DC 20037
22 Eisenstatl@dsmo.com
Ochsenhirtf@dsmo.com

David A. Crabtree
Dierdre A. Brown
TECO POWER SERVICES CORP.
P.O. Box 111
Tampa, Florida 33602
Dacrabtree@tecoenergy.com
Dabrown@tecoenergy.com

Michael A. Trentel
Patrick W. Burnett
PANDA ENERGY INTERNATIONAL INC
4100 Spring Valley, Suite 1010
Dallas, Texas 75244
Michaelt@pandaenergy.com
Patb@pandaenergy.com

Jesse Dillon
PPL Services Corp.
2 N. Ninth Street
Allentown, Pennsylvania 18101-1179
Jadillon@pplweb.com

Gary A. Dodge
HATCH, JAMES & DODGE
10 W. Broadway, Suite 400
Salt Lake City, Utah 84101
Gdodge@hjdllaw.com

Robert J. Metli
CHEIFETZ & IANNITELLI, P.A.
3238 N. 16th Street
Phoenix, Arizona 85016

Thomas L. Mumaw
Senior Attorney
Pinnacle West Capital Corporation
P.O. Box 53999 MS 8695
Phoenix, AZ 85072
Thomas.Mumaw@pinnaclewest.com

Ronald W. Grossarth
Public Service Co. of New Mexico
2401 Aztec Road NE
Albuquerque, NM 87107
rgrossa@pnm.com

23
24 
25 1755\4\Track\B Hearing\Pleadings\notice of filing
26 exceptions.0210.03