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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

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CARL J. KUNASEK
Chairman
JIM IRVIN
Commissioner
WILLIAM A. MUNDELL
Commissioner

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DOCKETED BY [Signature]

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE FILING OF) DOCKET NO. E-01032C-98-0474
THE STRANDED COST OPTIONS AND)
IMPLEMENTATION PLAN OF CITIZENS)
UTILITIES COMPANY)

IN THE MATTER OF THE FILING BY) DOCKET NO. E-01032C-97-0774
CITIZENS UTILITIES COMPANY OF)
UNBUNDLED AND STANDARD OFFER)
SERVICE TARIFFS PURSUANT TO)
A.A.C. R14-2-1606.)

IN THE MATTER OF THE COMPETITION) DOCKET NO. RE-00000C-94-0165
IN THE PROVISION OF ELECTRIC)
SERVICES THROUGHOUT THE STATE)
OF ARIZONA.)

STAFF'S RESPONSE TO CITIZENS COMMUNICATIONS COMPANY'S MOTION TO REOPEN RECORD AND FOR WAIVER OF CERTAIN COMPETITION RULES

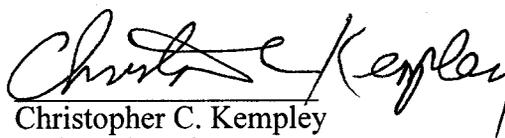
On October 16, 2000, Citizens Communications Company ("Citizens") filed a Motion to Reopen Record regarding the Settlement Agreement by and among Citizens, the Residential Utility Consumer Office ("RUCO") and the Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") that was filed in these dockets. At the same time, Citizens filed a Request for Waiver of Certain Competition Rules. On November 2, 2000, the Presiding Administrative Law Judge issued a Procedural Order, directing, among other things, that Staff, RUCO and other interested parties file responses to Citizens Motion to Reopen the Record and Request for Waiver no later than November 15, 2000. Staff has considered Citizens' Motion and Request for Waiver and hereby submits this Response.

On September 28, 2000, as identified in its Request for Waiver, Citizens filed an Application concerning its Purchased Power and Fuel Adjustment Clause ("PPFAC"), docket number E-01032C-

1 00-0751 ("PPFAC Application"). The PPFAC Application presents many complex and difficult
2 issues. Staff is in the process of analyzing the Application and the issues presented, but has reached
3 no conclusions as to the correct resolution of those issues. Staff agrees with Citizens that the
4 resolution of the PPFAC Application will have a substantial impact on whether the Settlement
5 Agreement should be changed in any way. In addition, it is unlikely that the Commission will have
6 resolved the issues raised in the PPFAC Application by December 31, 2000.

7 Based on the interrelationships among the issues, Staff believes that the ultimate resolution
8 of issues presented by the Settlement Agreement in these dockets should await resolution of the
9 PPFAC Application. Staff, therefore, supports the granting of a waiver of the Competition Rules
10 as requested, on an interim basis, pending further order of the Commission. Staff is not opposed to
11 granting Citizens Motion to Reopen the Record, however, Staff notes that, at present, it is unclear
12 as to the nature and extent to which supplementation of the record will prove necessary. Again, the
13 ultimate determination of the nature and extent of the additional evidence to be taken should await
14 the Commission's resolution of the PPFAC Application.

15 RESPECTFULLY SUBMITTED this 15 day of November, 2000.

16
17 
18 Christopher C. Kempley
19 Janice Alward
20 Attorneys, Legal Division
Arizona Corporation Commission
(602) 542-3402

21 Original and fifteen copies of
22 the foregoing document filed
this 15th day of November, 2000 with:

23 Docket Control
24 Arizona Corporation Commission
25 1200 West Washington
Phoenix, Arizona 85007

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1 Copy of the foregoing will be faxed
2 this 15th day of November, 2000 to:

3 Michael Grant
4 Gallagher & Kennedy
5 Gallagher & Kennedy
6 2575 East Camelback Road
7 Phoenix, Arizona 85016-9225

8 Copies of the foregoing will be mailed
9 the 16th day of November, 2000 to:

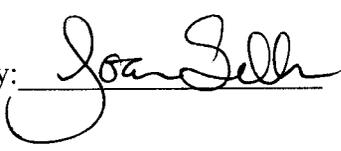
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14 Phoenix, Arizona 85016-9225

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18 Scott Wakefield
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24 Scottsdale, Arizona 85250-7237

25 All Parties Of Record in
26 Docket RE-00000C-94-0165

27 By: 

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