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INTERVENTION

BEFORE THE ARIZONA CORPORATION COMMISSION

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JIM IRVIN
Commissioner - Chairman
RENZ D. JENNINGS
Commissioner
CARL J. KUNASEK
Commissioner

IN THE MATTER OF THE APPLICATION
BY ARIZONA ELECTRIC POWER
COOPERATIVE, INC. FOR APPROVAL OF
ITS FILING AS TO REGULATORY ASSETS
AND TRANSITION REVENUES

DOCKET NO. E-01773A-98-0470

RECEIVED
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SEP 25 4 24 PM '98
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION
OF TUCSON ELECTRIC POWER
COMPANY FOR APPROVAL OF ITS PLAN
FOR STRANDED COST RECOVERY AND
FOR RELATED APPROVALS,
AUTHORIZATIONS AND WAIVER

DOCKET NO. E-01933A-98-0471

IN THE MATTER OF THE STRANDED
COST COMPLIANCE FILING OF ARIZONA
PUBLIC SERVICE COMPANY

DOCKET NO. E-01345A-98-0473

IN THE MATTER OF THE
APPLICATION OF CITIZENS UTILITIES
COMPANY FOR APPROVAL OF ITS PLAN
FOR STRANDED COST RECOVERY.

DOCKET NO. E-01032C-98-0474

APPLICATION FOR LEAVE TO INTERVENE AND RESPONSE TO STAFF'S SUGGESTED PROCEDURES

Cyprus Climax Metals Company, ASARCO, Incorporated, Enron Corp. and Arizonans for
Electric Choice and Competition (collectively referred to herein as "AECC") hereby request leave to

1 intervene in the above-captioned proceedings. In addition, AECC hereby responds to Staff's
2 suggested procedures for addressing the issues raised in these dockets.¹

3 **I. AECC WILL BE DIRECTLY AND SUBSTANTIALLY AFFECTED BY THESE**
4 **PROCEEDINGS.**

5 AECC will be directly and substantially affected by the proceedings in this docket because
6 the actions taken by the Commission with respect to the stranded cost recovery implementation
7 plans filed by Tucson Electric Power, Arizona Public Service, Co., Arizona Electric Power
8 Cooperative, Inc. and Citizens Utilities Company will have a significant impact on competition in
9 the generation of electric power in the State of Arizona. For this reason, AECC was granted leave to
10 intervene in the stranded cost proceedings that have taken place to date. In those proceedings, AECC
11 prepared and presented briefs, arguments, testimony and intervened and appeared before the Hearing
12 Officer and the Corporation Commission as a party in interest.

13 AECC has already filed responses to the stranded cost compliance filings by these four
14 Affected Utilities and has requested hearings on these filings. AECC hereby reiterates its request
15 for hearings on each of these dockets and requests that its previous filings be accepted in these
16 dockets.

17 The granting of AECC's application for leave to intervene will not cause the issues to be
18 unduly broadened, except upon leave of the Commission. However, AECC does expect to present
19 testimony and exhibits in any hearings conducted by the Commission in these dockets and will
20 thoroughly examine the arguments and materials presented by each of the Affected Utilities and may
21 cross-examine any witnesses appearing on behalf of any other parties.

22 AECC requests that communications to AECC in connection with the above-captioned
23 proceeding be directed to C. Webb Crockett, Esq., Jay L. Shapiro, Esq., Fennemore Craig, 3003
24 North Central Avenue, Suite 2600, Phoenix, Arizona 85012-2913, (602) 916-5000.

25
26 ¹ AECC has filed copies of this pleading in each of the above-captioned dockets.

1 **II. STAFF'S SUGGESTED PROCEDURE WILL DELAY COMPETITION.**

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3 It is obvious that hearings on the Affected Utilities' stranded cost compliance filings
4 are necessary. The procedures suggested by Commission Staff in its September 21, 1998 Comments
5 Regarding Stranded Cost Proposals Filed by the Affected Utilities, including the issuance of a Staff
6 Report on November 13, 1998, leave little time, if any, for such hearings prior to January 1, 1999,
7 the date competition is to be initiated. Accordingly, Staff's suggested procedure will delay
8 competition.

9 Instead, hearings should be scheduled as expeditiously as possible on the Affected
10 Utilities' stranded cost filings. Staff will have an opportunity, along with all other parties, to present
11 its position during these hearings.

12 RESPECTFULLY SUBMITTED this 25th day of September, 1998.

13 FENNEMORE CRAIG, P.C.

14 By _____

15 C. Webb Crockett
16 Jay L. Shapiro
17 Suite 2600

18 3003 North Central Avenue
19 Phoenix, Arizona 85012

20 Attorneys for Attorneys for ASARCO Incorporated,
21 Cyprus Climax Metals Company, Enron Corp. and
22 Arizonans for Electric Choice and Competition

23 ORIGINAL AND TEN COPIES
24 of the foregoing hand-delivered
25 this 25th day of September, 1998, to:

26 Arizona Corporation Commission
Docket Control
1200 West Washington Street
Phoenix, Arizona 85007

1 TWO COPIES OF THE FOREGOING
hand-delivered this 25th day
2 of September, 1998 to:

3 Jerry Rudibaugh, Chief Hearing Officer
Hearing Division
4 Arizona Corporation Commission
1200 West Washington
5 Phoenix, Arizona 85007

6 COPY OF THE FOREGOING
hand-delivered this 25th day
7 of September, 1998 to:

8 Jim Irvin
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10 Phoenix, Arizona 85007

11 Renz D. Jennings
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20 Paul Bullis, Chief Counsel
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23 COPY OF THE FOREGOING
mailed this 25th day of September, 1998 to:

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