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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED
SEP 05 2007

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BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE
APPLICATION OF TRICO ELECTRIC
COOPERATIVE, INC., AN ARIZONA
NONPROFIT CORPORATION, FOR
AUTHORITY TO BORROW THE
ADDITIONAL SUM OF \$58,786,000
FROM THE UNITED STATES OF
AMERICA (RDUP) AND THE
ADDITIONAL SUM OF \$25,194,000
FROM NATIONAL RURAL UTILITIES
COOPERATIVE FINANCE
CORPORATION, AND TO EVIDENCE
SAID LOANS BY THE EXECUTION OF
LOAN AGREEMENTS, PROMISSORY
NOTES AND SECURITY DOCUMENTS
REQUIRED BY THE LENDERS.

Docket No. E-01461A-07-0433

**OBJECTIONS OF APPLICANT
TRICO ELECTRIC
COOPERATIVE, INC. TO IBEW
LOCAL 1116'S APPLICATION TO
INTERVENE**

Applicant, Trico Electric Cooperative, Inc., ("TRICO") objects to the Application to Intervene filed by the IBEW Local 1116 ("Union") in the above proceeding on the following grounds and for the following reasons:

1. Trico filed its Application in this Proceeding pursuant to A.R.S. §§40-301 and 40-302 for a municipal rate loan from Rural Development Utilities Program ("RDUP"), formerly the Rural Utilities Service ("RUS") and the National Rural Utilities Cooperative Finance Corporation ("CFC"). A.R.S. §40-301C provides:

The commission shall not make any order or supplemental order granting any application as provided by this article unless it finds that such issue is for

1 lawful purposes which are within the corporate powers of the applicant, are
2 compatible with the public interest, with sound financial practices, and with
3 the proper performance by the applicant of service as a public service
corporation and will not impair its ability to perform that service.

4 2. The Application provides that the proposed loans are solely for capital
5 improvements which are necessary for Trico to provide expanding electric service as one
6 of the most rapidly growing electric distribution cooperatives in the country.
7

8 3. The Commission knows from the many loans it has approved for electric
9 distribution cooperatives from RDUP and CFC that no proceeds of such loans are
10 disbursed to the cooperative until the cooperative has installed and paid for capital
11 improvements approved by the Arizona Corporation Commission ("Commission") so that
12 the loans reimburse the cooperative for such amounts paid.
13

14 4. The Commission, by said statutes, is required to determine whether the loans
15 for which Commission approval is sought, are in the public interest and of sound financial
16 practices.
17

18 5. A.A.C.R. 14-3-105(A) requires that a proposed intervenor must be directly
19 and substantially affected by the proceeding. To be so affected, a proposed intervenor
20 must have an interest that is directly distinguishable from the interest held by members of
21 the general public. There is nothing that will occur in this proceeding that will in any
22 manner affect the current or future collective bargaining agreements between Trico and the
23 Union which are the Union's sole interest in this proceeding and in Trico.
24

25 6. The Union has no more direct or substantial interest in this proceeding than
26 an individual employee of Trico or an individual creditor of Trico.

1 7. For the foregoing grounds and reasons, the Application to Intervene should
2 be denied.

3 RESPECTFULLY SUBMITTED this 5th day of September, 2007.
4

5 WATERFALL ECONOMIDIS CALDWELL
6 HANSHAW & VILLAMANA, P.C.

7 By 
8 Russell E. Jones
9 Attorneys for Trico Electric Cooperative,
 Inc.

10 Original and 13 copies of the foregoing
11 Objections of Applicant Trico Electric Cooperative,
 Inc. to IBEW Local 1116's Application to
 Intervene filed this 5th day of September, 2007, with

12 Docket Control
13 Arizona Corporation Commission
14 1200 W. Washington
 Phoenix, AZ 85007-2996

15 Copies of the foregoing mailed this
 5th day of September, 2007 to:

16 Lyn Farmer, Chief Hearing Officer
17 Hearing Division
18 Arizona Corporation Commission
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By: Suzanne Mackay