

ORIGINAL



0000093014

04

RECEIVED

2008 DEC 30 P 3: 37

AZ CORP COMMISSION
DOCKET CONTROL

1 LAW OFFICES
 2 WATERFALL ECONOMIDIS CALDWELL
 3 HANSHAW & VILLAMANA, P.C.
 SB No 00078300
 4 5210 E. WILLIAMS CIRCLE, SUITE 800
 TUCSON, ARIZONA 85711
 TELEPHONE (520) 790-5828
 FACSIMILE (520) 745-1279
 Russell E. Jones, #000549
 5 D. Michael Mandig, #005601
 Attorneys for Trico Electric Cooperative, Inc.

BEFORE THE ARIZONA CORPORATION COMMISSION

8 MIKE GLEASON
 Chairman
 9 JEFF HATCH-MILLER
 Commissioner
 10 KRISTIN K. MAYES
 Commissioner
 11 WILLIAM MUNDELL
 Commissioner
 12 GARY PIERCE
 Commissioner

Arizona Corporation Commission

DOCKETED

DEC 30 2008

DOCKETED BY	nr
-------------	----

Docket No. E-01461A-08-0430

**NOTICE OF FILING
AFFIDAVITS OF PUBLICATION**

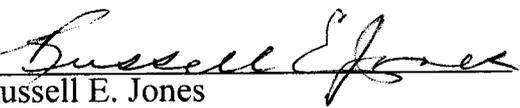
13 IN THE MATTER OF THE
 14 APPLICATION OF TRICO ELECTRIC
 COOPERATIVE, INC., AN ARIZONA
 15 NONPROFIT CORPORATION, FOR A
 PERMANENT RATE INCREASE, FOR A
 16 DETERMINATION OF THE FAIR
 VALUE OF THE CORPORATION'S
 17 ELECTRIC SYSTEM FOR RATE
 MAKING PURPOSES, FOR A FINDING
 18 OF A JUST AND REASONABLE RATE
 OF RETURN THEREON AND A JUST
 19 AND REASONABLE RETURN, AND
 FOR APPROVAL OF RATE
 20 SCHEDULES DESIGNED TO DEVELOP
 SUCH RETURN.

21
 22 Pursuant to the provisions of the Procedural Order in the above proceedings issued
 23 by the Administrative Law Judge on September 18, 2008, as amended October 27, 2008,
 24 the Applicant, Trico Electric Cooperative, Inc., gives notice of filing the attached
 25 Affidavits of Publication of the *Daily Territorial*, *Nogales International* and *Casa Grande*
 26

1 *Dispatch*, evidencing publication of the Public Notice in the three counties served by Trico
2 as required by the above Procedural Order.

3 RESPECTFULLY SUBMITTED this 30 day of December, 2008.

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

6
7 By 
8 Russell E. Jones
9 D. Michael Mandig
10 Attorneys for Applicant, Trico Electric
11 Cooperative, Inc.

12 Original and 13 copies of the foregoing
13 filed this 30 day of December, 2008,
14 with:

15 Docket Control
16 Arizona Corporation Commission
17 1200 W. Washington
18 Phoenix, AZ 85007

19 Copy mailed this 30 day of
20 October, 2008, to

21 Jane Rodda
22 Administrative Law Judge
23 Arizona Corporation Commission
24 400 West Congress
25 Tucson, AZ 85701

26 C. Webb Crockett
Patrick J. Black
Fennemore Craig, PC
3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012-2913
Attorneys for Freeport-McMoRan

Nicolas J. Enoch
Lubin & Enoch, PC
349 North Fourth Avenue
Phoenix, Arizona 85003
Attorneys for IBEW Local 1116

1 Janice Alward, Chief Counsel
Legal Division
2 Arizona Corporation Commission
1200 West Washington Street
3 Phoenix, Arizona 85007

4 Ernest Johnson, Director
Utilities Division
5 Arizona Corporation Commission
1200 West Washington Street
6 Phoenix, Arizona 85007

7 Carol Watson

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**PUBLIC NOTICE OF HEARING ON
THE RATE APPLICATION OF
TRICO ELECTRIC COOPERATIVE
INC. DOCKET NO. E-01461A-08-0430**

On August 15, 2008, Trico Electric Cooperative, Inc. ("Trico" or "Cooperative") filed an application with the Arizona Corporation Commission for an increase in annual revenues of \$6,542,728, an approximate 8.81 percent increase in annual revenue over its current revenues. In addition to an increase and modification to its rates and charges, Trico is requesting among other things, the Commission to approve a revision to its Power Cost Adjustment mechanism; a revision to its Rules, Regulations and Line Extension Policies; and a Demand Side Management Portfolio. Under the rates proposed by the Cooperative a residential customer using an average of 916 kWh per month would experience a monthly increase of \$11.07, or 9.47 percent, from \$116.89 to \$127.96. **Residential customers using less or more than the average 916 kWh per month will experience a lower or higher percent increase depending on their usage.** Under the Cooperative's proposal, other rate class customers would experience varying percentage increases depending on their class and usage.

If you have any questions concerning how the Cooperative's rate proposal will affect your bill or have other substantive questions about this application, you may contact the Cooperative at its offices at 8600 W. Tangerine Rd., Marana, AZ, 85658, (520) 744-2944, Caroline Gardiner, cgardiner@trico.coop, Marsha Regrutto, mregruzzo@trico.coop.

The Commission's Utilities Division Staff has not yet made a recommendation regarding the Cooperative's rate increase proposal, and the Commission will determine the appropriate rate relief to be granted based on the evidence of record in this proceeding. The Commission is not bound by the proposals made by the Cooperative, Staff, or any intervenors and, therefore, the final rates approved in this docket may be lower or higher than the rates described above.

How You Can View or Obtain a Copy of the Rate Proposal

Copies of the application and proposed tariffs are available at the Cooperative's offices 8600 W. Tangerine Rd., Marana, AZ, 85658, and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona and its Tucson offices, 400 West Congress, Suite 218, Tucson, Arizona and on the internet via the Commission website (<http://www.azcc.gov/>) using the e-docket function.

Public Hearing Information

The Commission will hold a hearing on this matter beginning **May 20, 2009, at 10:00 a.m.**, at the Commission's offices, Room 222, 400 West Congress, Tucson, Arizona.

Public comments will be taken at the beginning of the first day of the hearing. Written public comments may be submitted by mailing a letter referencing Docket No. E-01461A-08-0430 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by email. For a form to use and instructions on how to e-mail comments to the Commission, go to http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or (520) 628-6550.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you wish to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission no later than **February 13, 2009**, and a copy of the motion to Trico or its counsel and to all parties of record. Your motion must contain the following:

1. Your name, address, and telephone number and the name, address and telephone number of any party upon whom service of documents is to be made, if not yourself.
2. A short statement of your interest in the proceeding (e.g., a customer of the Company, a member of the Cooperative, etc.).
3. A statement certifying that you have mailed a copy of the motion to intervene to the Cooperative or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that **all motions to intervene must be filed on or before February 13, 2009**. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, **failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case**.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator Linda Hogan, E-mail Lhogan@azcc.gov, voice phone number 602/542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

**PUBLISH: The Daily Territorial
December 4, 2008
hrmay20/trico jh**

LEGAL NOTICE

STATE OF ARIZONA
COUNTY OF SANTA CRUZ

**PUBLIC NOTICE OF HEARING
ON THE RATE APPLICATION OF
TRICO ELECTRIC COOPERATIVE
INC. DOCKET NO.
E-01461A-08-0430**

On August 15, 2008, Trico Electric Cooperative, Inc. ("Trico" or "Cooperative") filed an application with the Arizona Corporation Commission for an increase in annual revenues of \$6,542,728, an approximate 8.81 percent increase in annual revenue over its current revenues. In addition to an increase and modification to its rates and charges, Trico is requesting among other things, the Commission to approve a revision to its Power Cost Adjustment mechanism; a revision to its Rules, Regulations and Line Extension Policies; and a Demand Side Management Portfolio. Under the rates proposed by the Cooperative a residential customer using an average of 916 kWh per month would experience a monthly increase of \$1.07, or 9.47 percent, from \$11.89 to \$12.96. Residential customers using less or more than the average 916 kWh per month will experience a lower or higher percent increase depending on their usage. Under the Cooperative's proposal, other rate class customers would experience varying percentage increases depending on their class and usage. If you have any questions concerning how the Cooperative's rate proposal will affect your bill or have other substantive questions about this application, you may contact the Cooperative at its offices at 8600 W. Tangerine Rd., Marana, AZ, 85658, (520) 744-2944, Caroline Gardiner, cgardiner@trico.coop, Marsha Regrutto, mregrutto@trico.coop. The Commission's Utilities Division Staff has not yet made a recommendation regarding the Cooperative's rate increase proposal, and the Commission will determine the appropriate rate relief to be granted based on the evidence of record in this proceeding. The Commission is not bound by the proposals made by the Cooperative, Staff, or any intervenors and, therefore, the final rates approved in this docket may be lower or higher than the rates described above.

AFFIDAVIT OF PUBLICATION
DENISE PERALTA

being first
Duly sworn, deposes and says: That (he) (she) is the Agent to the Publisher of the NOGALES INTERNATIONAL newspaper printed and published two days week in the City of Nogales, County of Santa Cruz, State of Arizona. That the notice, a copy of which is hereto attached, described as follows:

HEARING ON APPLICA
TION OF TRICO ELEC
TRIC DOCKET NO.E-01
461A-08-0430

was printed and published in the regular and entire issue of said
NOGALES INTERNATIONAL for 1 issues, that the first was
made on the 5th day of DECEMBER 20 08
and the last publication thereof was made on the 5th day of
DECEMBER 20 08 that said publication

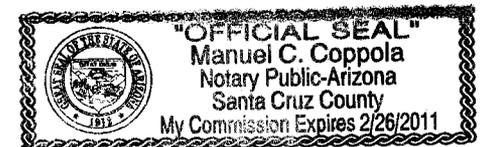
was made on each of the following dates, to wit:
12/05/08

Request of WATERFALL ECONOMIDIS,

NOGALES INTERNATIONAL
268 W VIEW POINT, NOGALES, AZ 85621 (520)281-9706

By 

Subscribed sworn to before me this 5th day of DECEMBER
20 08 



Notary Public in and for the County of Santa Cruz, State of Arizona

My Commission Expires: 02/26/2011

How You Can View or Obtain a Copy of the Rate Proposal

Copies of the application and proposed tariffs are available at the Cooperative's offices 8600 W. Tangerine Rd., Marana, AZ, 85658, and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona and its Tucson offices, 400 West Congress, Suite 218, Tucson, Arizona and on the internet via the Commission's website (www.azcc.gov/) using the e-docket function.

Public Hearing Information

The Commission will hold a hearing on this matter beginning May 20, 2009, at 10:00 a.m., at the Commission's offices, Room 222, 400 West Congress, Tucson, Arizona.

Public comments will be taken at the beginning of the first day of the hearing. Written public comments may be submitted by mailing a letter referencing Docket No. E-01461A-08-0430 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by email. For a form to use and instructions on how to e-mail comments to the Commission, go to <http://www.azcc.gov/divisions/utilities/forms/publiccomment.pdf>. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or (520) 628-6550.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you wish to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission no later than February 13, 2009, and a copy of the motion to Trico or its counsel and to all parties of record. Your motion must contain the following:

1. Your name, address, and telephone number and the name, address and telephone number of any party upon whom service of documents is to be made, if not yourself.
2. A short statement of your interest in the proceeding (e.g., a customer of the Company, a member of the Cooperative, etc.).

3. A statement certifying that you have mailed a copy of the motion to intervene to the Cooperative or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before February 13, 2009. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator Linda Hogan;

E-mail Lhogan@azcc.gov, voice phone number 602/542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

Req. Waterfall, Economics, Caldwell, Harshaw and Villamañana P.C.

Pub. 12/05/2008

STATE OF ARIZONA
COUNTY OF PINAL

SS.

Affidavit of Publication

PUBLIC NOTICE OF HEARING ON THE RATE APPLICATION OF TRICO ELECTRIC COOPERATIVE INC.

DOCKET NO. E-01461A-08-0430
On August 15, 2008, Trico Electric Cooperative, Inc. ("Trico" or "Cooperative") filed an application with the Arizona Corporation Commission for an increase in annual revenues of \$6,542,728, an approximate 8.81 percent increase in annual revenue over its current revenues. In addition to an increase and modification to its rates and charges, Trico is requesting among other things, the Commission to approve a revision to its Power Cost Adjustment mechanism; a revision to its Rules, Regulations and Line Extension Policies; and a Demand Side Management Portfolio. Under the rates proposed by the Cooperative a residential customer using an average of 916 kWh per month would experience a monthly increase of \$11.07, or 9.47 percent, from \$116.89 to \$127.96. Residential customers using less or more than the average 916 kWh per month will experience a lower or higher percent increase depending on their usage. Under the Cooperative's proposal, other rate class customers would experience varying percentage increases depending on their class and usage.

If you have any questions concerning how the Cooperative's rate proposal will affect your bill or have other substantive questions about this application, you may contact the Cooperative at its offices at 8600 W. Tangerine Rd., Marana, AZ, 85658, (520) 744-2944, Caroline Gardiner, Marsha Regrutto, mregrutto@trico.coop.

The Commission's Utilities Division Staff has not yet made a recommendation regarding the Cooperative's rate increase proposal, and the Commission will determine the appropriate rate relief to be granted based on the evidence of record in this proceeding. The Commission is not bound by the proposals made by the Cooperative, Staff, or any intervenors and, therefore, the final rates approved in this docket may be lower or higher than the rates described above.

How You Can View or Obtain a Copy of the Rate Proposal

Copies of the application and proposed tariffs are available at the Cooperative's offices 8600 W. Tangerine Rd., Marana, AZ, 85658, and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona and its Tucson offices, 400 West Congress, Suite 218, Tucson, Arizona and on the internet via the Commission website (www.azcc.gov/) using the e-docket function.

Public Hearing Information

The Commission will hold a hearing on this matter beginning May 20, 2009, at 10:00 a.m., at the Commission's offices, Room 222, 400 West Congress, Tucson, Arizona.

Public comments will be taken at the beginning of the first day of the hearing. Written public comments may

be submitted by mailing a letter referencing Docket No. E-01461A-08-0430 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by email. For a form to use and instructions on how to e-mail comments to the Commission, go to http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or (520) 628-6550.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you wish to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission no later than February 13, 2009, and a copy of the motion to Trico or its counsel and to all parties of record. Your motion must contain the following:

1. Your name, address, and telephone number and the name, address and telephone number of any party upon whom service of documents is to be made, if not yourself.
2. A short statement of your interest in the proceeding (e.g., a customer of the Company, a member of the Cooperative, etc.).
3. A statement certifying that you have mailed a copy of the motion to intervene to the Cooperative or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before February 13, 2009. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator Linda Hogan, E-mail Lhogan@azcc.gov, voice phone number 602/542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

No. of publications: 1; date of publication: Dec. 5, 2008.

DONOVAN M. KRAMER SR. first being duly sworn deposes and says: That he is a native born citizen of the United States of America, over 21 years of age, that he is publisher of the Casa Grande Dispatch, a daily newspaper published at Casa Grande, Pinal County, Arizona, Tuesday through Sunday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for ONE consecutive issues the first publication thereof having been on the 5TH

day of DECEMBER A.D., 2008

Second publication _____

Third publication _____

Fourth publication _____

Fifth publication _____

Sixth publication _____

CASA GRANDE DISPATCH

By Donovan M. Kramer SR. P/K
DONOVAN M. KRAMER SR., Publisher

Sworn to before me this 5th

day of December A.D., 2008

Debbie L. Mumme

Notary Public in and for the County
of Pinal, State of Arizona

