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BEFORE THE ARIZONA CORPORATION COMMISSION

2009 FEB -4 P 2:34

KRISTIN K. MAYES, Chairman  
GARY PIERCE  
PAUL NEWMAN  
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BOB STUMP

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE  
APPLICATION  
OF THE SOLAR ALLIANCE FOR A  
DECLARATORY ORDER THAT  
PROVIDERS OF CERTAIN SOLAR  
SERVICE AGREEMENTS WOULD  
NOT BE PUBLIC SERVICE  
CORPORATIONS

DOCKET NO. E-20633A-08-0513

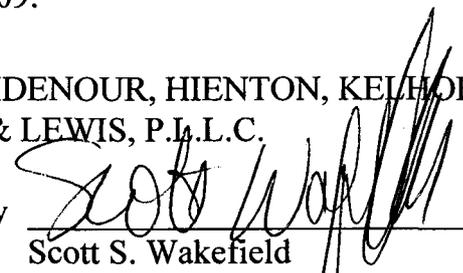
NOTICE OF FILING OF  
AFFIDAVIT OF PUBLICATION

Attached is the Affidavit of Publication of the Solar Alliance's publication of notice of its application.

Dated this 4th day of February, 2009.

RIDENOUR, HIENTON, KELHOFFER  
& LEWIS, P.L.L.C.

By

  
Scott S. Wakefield

201 North Central Avenue, Suite 3300  
Phoenix, Arizona 85004-1052  
Attorneys for The Solar Alliance  
[sswakefield@rhhklaw.com](mailto:sswakefield@rhhklaw.com)

Arizona Corporation Commission

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1 Pursuant to A.A.C. R14-3-204,  
2 the Original and 25 copies were filed on  
February 4, 2009, with:

3 Docket Control  
4 Arizona Corporation Commission  
1200 W. Washington Street  
5 Phoenix, AZ 85007

6 Copy of the above delivered this  
7 9 day of February, 2009, to:

8 Ernest G. Johnson  
9 Director, Utilities Division  
Arizona Corporation Commission  
10 1200 W. Washington  
Phoenix, AZ 85007

11 Janice Alward  
12 Chief Counsel  
13 Arizona Corporation Commission  
1200 W. Washington  
14 Phoenix, AZ 85007

15 Lyn Farmer  
16 Chief Administrative Law Judge  
17 Arizona Corporation Commission  
1200 W. Washington  
18 Phoenix, AZ 85007

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1 Copy of the above mailed this  
2 4 day of February, 2009, to:

3 Deborah Scott  
4 Linda J. Benally  
5 Pinnacle West Capital Corporation  
6 P.O. Box 5399, MS 8695  
7 400 N, 5<sup>th</sup> Street  
8 Phoenix, Arizona 85072-3999  
9 Attorneys for Arizona Public Service  
10 Company

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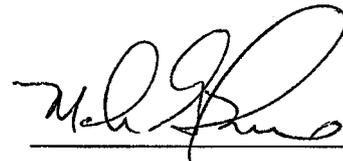
# THE ARIZONA REPUBLIC

STATE OF ARIZONA }  
COUNTY OF MARICOPA } SS.

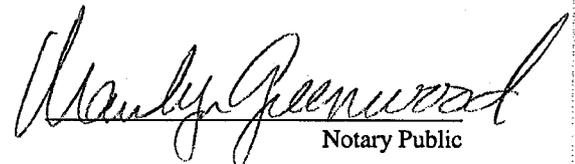
Mark Gilmore, being first duly sworn, upon oath deposes and says: That he is a legal advertising representative of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Republic, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

The Arizona Republic

01/23/09



Sworn to before me this  
30<sup>TH</sup> day of  
January A.D. 2009



Notary Public

**PUBLIC NOTICE OF THE APPLICATION OF THE SOLAR ALLIANCE FOR A DECLARATORY ORDER THAT PROVIDERS OF CERTAIN SOLAR SERVICE AGREEMENTS WOULD NOT BE PUBLIC SERVICE CORPORATIONS (DOCKET NO. E-20633A-08-0513)**

**Summary**

On October 3, 2008, The Solar Alliance ("Solar Alliance" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for a declaratory order that providers of certain solar service agreements would not be public service corporations pursuant to Article 15, Section 2 of the Arizona Constitution ("Application"). The Commission's Utilities Division is reviewing the Application and will make a recommendation to the Commission regarding the Application. Other parties granted intervention will also have an opportunity to make recommendations to the Commission regarding the Application. The Commission will consider the recommendations of all parties, but is not bound by those recommendations in determining the appropriate relief to be granted.

**How You Can View or Obtain a Copy of the Application**

Copies of the Application are available at Applicant's offices, American Solar Electric 1475 N. Scottsdale Rd., Ste. 410 Scottsdale AZ 85257, and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona, for public inspection during regular business hours and on the internet via the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket function.

**Arizona Corporation Commission Public Comment Information**

Written public comments may be submitted in this case by mailing a letter referencing Docket No. E-20633A-08-05 13 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by e-mail. 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.

**About Intervention**

Under appropriate circumstances, interested persons or entities may intervene and become a party to this case. 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 20, 2009, and send a copy of the motion to Applicant or its counsel and to all parties of record. Your motion to intervene 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;

and

3. A statement certifying that you have mailed a copy of the motion to intervene to Applicant 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 20, 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/intervenor.pdf>. No party has requested a hearing on the Application.

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](mailto:LHogan@azcc.gov), voice phone number 602/542-3531. Requests should be made as early as possible to allow time to arrange the accommodation.

Published: January 23, 2009