

ORIGINAL



0000094082

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

KRISTIN K. MAYES, CHAIRMAN
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2009 FEB 25 P 4: 25

DOCKETED

FEB 25 2009

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY []

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

THE SOLAR ALLIANCE'S
RESPONSE TO SEMPra ENERGY
SOLUTIONS LLC'S APPLICATION
FOR LEAVE TO INTERVENE

The Solar Alliance (the "Alliance") hereby responds to the Application for Leave to Intervene filed by Sempra Energy Solutions LLC ("Sempra") on February 20, 2009. In addition to applying to intervene, Sempra requests that the Commission set a procedural schedule for processing the application, including an evidentiary hearing and the filing of briefs/oral argument.

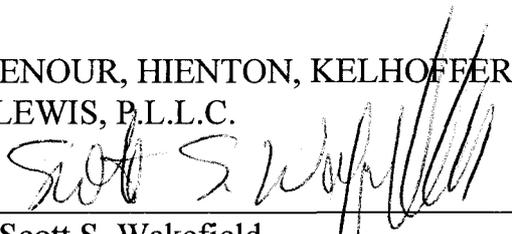
The Alliance has no objection to Sempra being granted intervention. However, pursuant to a procedural conference held on November 24, 2008, the Administrative Law Judge issued a procedural order on January 12, 2009 that addressed the processing of the application. The procedural order provides that Staff shall file its Staff Report no later than March 6, 2009, and intervenors may file responses to the Staff Report by April 10, 2009. The procedural order further provides that either Staff or intervenors may request a hearing in those filings, if they believe that there are disputed facts. Thus, because the Administrative Law Judge has already set forth a procedure for processing this case, including providing for requests for a hearing, the Alliance requests that the Commission

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1 not establish a hearing or oral argument schedule at this time, but adhere to the previously
2 established procedure for determining whether a hearing would be necessary.

3 Dated this 25 day of February, 2009.

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

6 By 

7 Scott S. Wakefield

8 201 North Central Avenue, Suite 3300

9 Phoenix, Arizona 85004-1052

10 Attorneys for The Solar Alliance

11 sswakefield@rhhklaw.com

12 Pursuant to A.A.C. R14-3-204,
13 the Original and 13 copies were filed on
14 February 25 2009 with:

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

19 Copy of the above delivered this
20 25 day of February, 2009, to:

21 Teena Wolfe
22 Administrative Law Judge
23 Arizona Corporation Commission
24 1200 W. Washington
25 Phoenix, AZ 85007

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

1 Janice Alward, Chief Counsel
Janet Wagner, Assistant Chief Counsel
2 Nancy Scott, Attorney
3 Legal Division
4 Arizona Corporation Commission
5 1200 W. Washington
Phoenix, AZ 85007

6 Copy of the above mailed
7 this ~~5~~ day of February, 2009 to:

8 Deborah R. Scott
9 Linda J. Benally
10 Pinnacle West Capital Corp.
400 N. 5th St., M/S/ 8695
11 Phoenix, AZ 85004-8695
Attorneys for APS

12 Timothy M. Hogan
13 Arizona Center for Law in the Public Interest
202 E. McDowell Rd., Ste. 153
14 Phoenix, AZ 85004
15 Attorneys for Western Resource Advocates

16 David Berry
17 Western Resource Advocates
P.O. Box 1064
18 Scottsdale, AZ 85252-1064

19 Kenneth C. Sundlof, Jr.
20 Jennings, Strouss & Salmon, PLC
21 201 E. Washington St., 11th Floor
Phoenix, AZ 85004-2385
22 Attorneys for SRP

23
24
25
26

1 Kelly J. Barr
SRP Regulatory Affairs & Contracts
2 PAB 221
P.O. Box 52025
3 Phoenix, AZ 85072-2025
4
5 C. Webb Crockett
Patrick J. Black
6 Fennemore Craig, PC
3003 N. Central Ave., Ste. 2600
7 Phoenix, AZ 85012-2913
8 Attorneys for Freeport-McMoRan Copper &
Gold, Inc. and
9 Arizonans for Electric Choice and Competition
10
11 Lawrence V. Robertson
P.O. Box 1448
Tubac, AZ 85646-0001
12 Attorneys for Sempa Energy Solutions
13
14 Michael M. Grant
Gallagher & Kennedy, PA
15 2575 E. Camelback Road
Phoenix, AZ 85016-9225
16 Attorneys for Arizona Electric Power Cooperative, Inc.
17
18 Michael A. Curtis
William P. Sullivan
19 Larry K. Udall
Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
20 501 E. Thomas Road
Phoenix, AZ 85012-3205
21 Attorneys for Mohave Electric Cooperative, Inc.
22 and Navopache Electric Cooperative, Inc.
23
24 Philip Dion, Jr.
Michelle Livengood
Tucson Electric Power Company
25 One South Church St., Ste. 200
Tucson, AZ 85702
26

1 Michael W. Patten
J. Matthew Derstine
2 Roshka DeWulf & Patten, PLC
400 E. Van Buren, Ste. 800
3 Phoenix, AZ 85004
4 Attorneys for Tucson Electric Power Co. and
UNS Electric, Inc.
5
6 Russell E. Jones
D. Michael Mandig
7 Waterfall Economidis Caldwell Hanshaw & Villamana, PC
5210 E. Williams Circle, 8th Floor
8 Tucson, AZ 85711
9 Attorneys for Trico Electric Cooperative, Inc.
10
11 Bradley S. Carroll
Snell & Wilmer, LLP
One Arizona Center
12 400 E. Van Buren
Phoenix, AZ 85004-2202
13 Attorneys for Sulphur Springs Valley Electric Cooperative, Inc.
14
15 Kevin T. Fox
Keyes & Fox, LLP
16 5727 Keith Avenue
Oakland, CA 94618
17 Attorneys for Interstate Renewable Energy Council
18
19 Daniel Pozefsky, Chief Counsel
Residential Utility Consumer Office
20 1110 W. Washington St., Suite 220
Phoenix, AZ 85007
21 Attorneys for RUCO
22

23
24 
25

26 295681;ssw;22728-0001