

ORIGINAL



0000094229

BEFORE THE ARIZONA CORPORATION 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
27
28

COMMISSIONERS

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

RECEIVED

2009 MAR -2 P 4: 50

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

MAR - 2 2009

DOCKETED BY [Signature]

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

DOCKET NO. E-01461A-08-0430

STAFF'S MOTION FOR EXTENSION OF DEADLINE FOR FILING DIRECT RATE DESIGN TESTIMONY

On August 15, 2008, Trico Electric Cooperative, Inc. ("Trico" or "Cooperative") filed with the Arizona Corporation Commission ("Commission") an application for a rate increase. By Procedural Order filed September 22, 2008, it was ordered that direct testimony and associated exhibits related to rate design be filed on or before March 13, 2009.

Commission Utilities Division Staff ("Staff") recently became aware of a filing made by Trico on January 30, 2009, in Docket No. 06-0038, a generic docket regarding Smart Metering Requirements of Section 1252 of the Energy Policy Act of 2005. That filing requests Commission approval of a proposed Standard Offer General Service ("GS") Time of Use ("TOU") Experimental Tariff that would apply to the GS-1, GS-2, and GS-3 customer classes.

Staff believes that the new tariffs must be incorporated into the instant rate application in order to be properly considered. Staff has discussed the issue with Trico, which then agreed to file the tariffs within the instant rate application.

However, because of the short amount of time available before rate design testimony is due, Staff projects that it will require an additional two weeks to issue a data request regarding the proposed rates, receive a response, and complete its rate design testimony. Trico has agreed to an

1 extension of time for this purpose. Such an extension will diminish the amount of time available to
2 evaluate that testimony and prepare subsequent responsive testimony.

3 Therefore, considering both Trico's desire to avoid any delay in the rate case decision and the
4 scheduling constraints of the Hearing Division, Staff proposes the following modifications to the
5 procedural schedule regarding rate design testimony only:

- 6 • Direct testimony and associated exhibits related to rate design to be presented at hearing
7 on behalf of Staff and intervenors shall be filed on or before March 27, 2009.
- 8 • Rebuttal testimony and associated exhibits related to rate design to be presented by the
9 Cooperative shall be filed on or before April 24, 2009.
- 10 • Surrebuttal testimony and associated exhibits related to rate design to be presented by
11 Staff or intervenors shall be filed on or before May 15, 2009.
- 12 • Any rejoinder testimony and related exhibits to be presented by the Cooperative may be
13 so presented at the time of hearing.

14 The requested adjustments to the procedural schedule allow for the Company's proposed GS
15 rate from the January 30 filing to be more appropriately considered in the current rate docket and, at
16 the same time, allow for the hearing to proceed as scheduled.

17 RESPECTFULLY SUBMITTED this 2nd day of March, 2009.

18
19
20
21
22
23
24
25
26
27 ...
28 ...



Kevin O. Torrey, SBN # 022300
Attorney, Legal Division
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007
(602) 542-3402

1 Original and thirteen (13) copies
2 of the foregoing were filed this
2nd day of March, 2009, with:

3 Docket Control
4 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85008

6 Copy of the foregoing mailed this
3rd day of March, 2009, to:

7
8 Russell E. Jones
D. Michael Mandig
Waterfall, Economidis, Caldwell, Hanshaw
& Villamana, PC
5210 East Williams Circle, Suite 800
Tucson, Arizona 85711-4482
Attorneys for Trico

11
12 C. Well Brockett
Patrick J. Black
Fennemore Craig, PC
3003 North Central Avenue
Suite 2600
Phoenix, Arizona 85012-2913
Attorneys for Freeport-McMoRan

16
17 
18

19
20
21
22
23
24
25
26
27
28