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ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

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KRISTIN K. MAYES
Chairman

2009 APR 17 P 12:59

GARY PIERCE
Commissioner

AZ CORP COMMISSION
DOCKET CONTROL

PAUL NEWMAN
Commissioner

SANDRA D. KENNEDY
Commissioner

BOB STUMP
Commissioner

IN THE MATTER OF THE NOTICE OF
PROPOSED RULE AMENDMENT FOR
FIXED UTILITY RULES R14-2-207, R14-2-
208, R14-2-209, R14-2-506, AND R14-2-507

DOCKET NOS. RE-00000C-08-0394
RT-00000J-08-0394

The Arizona Corporation Commission Staff hereby files the attached Notice of Docket Opening and Notice of Proposed Rulemaking filed with the Secretary of State on March 26, 2009. The Notices were published in the April 17, 2009 issue of The Arizona Administrative Register.

Pursuant to the March 17, 2009 Order of the Commission, Staff is also giving notice that the attached Notice of Proposed Rulemaking contains a copy of the requested Economic, Small Business and Consumer Impact Statement.

RESPECTFULLY SUBMITTED this 17th day of April, 2009.

Nancy Scott

Nancy Scott
Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007
(602) 542-3402

Arizona Corporation Commission

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APR 17 2009

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SERVICE LIST FOR:

DOCKET NOS. RE-00000C-08-0394 and RT-00000J-08-0394

Ajo Improvement Company
Post Office Drawer 9
Ajo, Arizona 85321

Mohave Electric Cooperative, Inc.
Post Office Box 1045
Bullhead City, Arizona 86430

APS Energy Services Company, Inc.
400 East Van Buren Street
Phoenix, Arizona 85004

Morenci Water and Electric Company
Post Office Box 68
Morenci, Arizona 85540

Arizona Electric Power Cooperative, Inc.
Post Office Box 670
Benson, Arizona 85602

Navopache Electric Cooperative, Inc.
1878 West White Mountain Boulevard
Lakeside, Arizona 85929

Arizona Public Service Company
Post Office 53999 Station 9905
Phoenix, Arizona 85072

PDM Energy, LLC
One North Central Avenue
Phoenix, Arizona 85004

Columbus Electric Cooperative, Inc.
Post Office Box 631
Deming, New Mexico 88031

Sempra Energy Solutions, LLC
101 Ash Street
San Diego, California 92101

Dixie-Escalante Rural Electric
Association, Inc.
71 East Highway 56
Beryl, Utah 84714-5197

Sulphur Springs Valley Electric Coop., Inc.
Post Office Box 820
Wilcox, Arizona 85644

Duncan Valley Electric Cooperative, Inc.
Post Office Box 440
Duncan, Arizona 85534

Trico Electric Cooperative, Inc.
Post Office Box 930
Marana, Arizona 85653

Garkane Energy Cooperative, Inc.
Post Office Box 465
Loa, Utah 84747

Tucson Electric Power Company
Attn: David Couture
Post Office Box 711, MS UE201
Tucson, Arizona 85702

Graham County Electric Cooperative, Inc.
Post Office Drawer B
Pima, Arizona 85543

UNS Electric, Inc.
Attn: David Couture
Post Office Box 711, MS UE201
Tucson, Arizona 85702

1	Mr. Patrick Sherrill	Mr. Jeff Handley
2	Accipiter Communications	Manager, State Government Affairs
3	2238 Lone Cactus Drive, Suite 100	TDS Telecom
4	Phoenix, Arizona 85027-2641	10025 Investment Drive, Suite 200
		Knoxville, Tennessee 37932
		(Arizona Telephone, Southwestern Telephone)
5	Dr. Curt Huttsell, Ph.D.	Mr. Steve Child
6	Director, State Government Affairs	Midvale Telephone Exchange
7	Frontier Communications Solutions	Post Office Box 7
8	P.O. Box 708970	Midvale, Idaho 83645
9	Sandy, Utah 84070	
10	(Citizens Utilities Rural Company, Citizens	
	Communications Company of the White	
	Mountains and Navajo Communications	
	Company)	
11	Mr. Norm Curtright	Valley Telephone Cooperative
12	Corporate Counsel	725 East Maley
13	Qwest Corporation	Wilcox, Arizona 85644-0970
	20 East Thomas Road, 16 th Floor	(Copper Valley Telephone and Valley
	Phoenix, Arizona 85012	Telephone Cooperative)
14	Ms. Brenda Crosby	Mr. Marc McLemore
15	Rio Virgin Telephone	South Central Utah Telephone
16	Post Office Box 189	Post Office Box 555
	Estacada, Oregon 97023	Escalante, Utah 84726
17	Mr. John Hayes	Mr. Jesse B. Tresler
18	General Manager	Verizon California
19	Table Top Telephone Company	112 S Lakeview Canyon Road – CA501GC
20	600 North Second Avenue	Thousand Oaks, California 91362-3811
	Ajo, Arizona 85321	
21	360networks (USA) Inc.	AboveNet Communications, Inc.
22	867 Coal Creek Circle, Suite 160	Attn: Tax Dept
	Louisville, Colorado 80027	360 Hamilton Ave., 7th Floor
		White Plains, New York 10601
23	ACN Communication Services, Inc.	American Fiber Systems, Inc.
24	32991 Hamilton Court	100 Meridian Centre, Suite 250
25	Farmington, Michigan 48334	Rochester, New York 14618
26	Andiamo Telecom, LLC	Arizona Dial Tone, Inc.
27	10575 North 114th Street, Suite 103	6115 South Kyrene Road, Suite 103
	Scottsdale, Arizona 85259	Tempe, Arizona 85283
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1	AT&T Communications of the Mountain States Inc.	AZX Connect, LLC Lewis and Roca
2	Attn: Cindy Hardy	40 North Central Avenue
3	One AT&T Way, Room 28115E Bedminster, New Jersey 07921	Phoenix Arizona 85004
4	Aztech Communications, LLC	Budget Phone, Inc.
5	6870 South Highway 95, Suite 451	Post Office Box 19360
6	Mohave Valley, Arizona 86440	Shreveport, Louisiana 71149
7	BullsEye Telecom, Inc.	Cbeyond Communications, LLC
8	25900 Greenfield Road, Suite 330	Mr. William Weber
9	Oak Park, Michigan 48237	Vice President and Corporate Counsel
10	CCG Communications, LLC	320 Interstate North Parkway, Suite 300
11	321 Walnut Street, Suite 170	Atlanta, Georgia 30339
12	Newton, Massachusetts 02460	CenturyTel Solutions, LLC
13	CityNet Arizona, LLC	100 CenturyTel Drive
14	709 Beechurst Avenue, Suite 14-A	Monroe, Louisiana 71203
15	Morgantown, West Virginia 26330	CM Tel (USA) LLC
16	Comcast Phone of Arizona, LLC	700 Wilshire Street, Suite 750
17	Attn: Lisa Moglia	Los Angeles, California 90017
18	One Comcast Center	CommPartners, LLC
19	Philadelphia, Pennsylvania 19103	3291 North Buffalo Drive, Suite 150
20	Comtel Telcom Assets LP	Las Vegas, Nevada 89129
21	dba Excel Telecommunications	Comtel Telcom Assets LP
22	Ms. Deena Falk	dba VarTec Telecom
23	433 East Las Colinas Boulevard, Suite 1300	Ms. Deena Falk
24	Irving, Texas 75039	433 East Las Colinas Boulevard, Suite 1300
25	Cox Arizona Telcom, LLC	Irving, Texas 75039
26	Mr. Mark DiNunzio	Cypress Communications
27	1550 West Deer Valley Road	Operating Company, Inc.
28	Phoenix, Arizona 85027	15 Piedmont Center, Suite 610
	DIECA Communications, Inc	Atlanta, Georgia 30305
	7901 Lowry Boulevard, 2nd Floor	DSLnet Communications, LLC
	Denver, Colorado 80230	50 Barnes Park North, Suite 104
	Electric Lightwave, LLC	Wallingford, Connecticut 06492
	1201 Northeast Lloyd Boulevard, Suite 500	Ernest Communications, Inc.
	Portland, Oregon 97232	5275 Triangle Parkway, Suite 150
		Norcross, Georgia 30092

1	Eschelon Telecom of Arizona	Frontier Communications of
2	c/o Integra Telecom	America, Inc.
3	6160 Golden Hills Drive	Post Office Box 708970
	Golden Valley, Minnesota 55416	Sandy, Utah 84070-8970
4	Gila Local Exchange Carrier	Global Connection Inc. of America
5	Box 501 5	3957 Pleasantdale Road
6	7065 West Allison Road	Atlanta, Georgia 30340
	Chandler, Arizona 85226	
7	Global Crossing Local Services, Inc.	Global Crossing Telemanagement, Inc.
8	225 Kenneth Drive	225 Kenneth Drive
	Rochester, New York 14623	Rochester, New York 14623
9	Granite Telecommunications, LLC	IDT America, Corporation
10	100 Newport Avenue	520 Broad Street
	Quincy, Massachusetts 02171	Newark, New Jersey 07102
11	Integra Telecom, Inc	Ionex Communications North, Inc.
12	Mr. J. Jeffery Oxley, General Counsel	2300 Main Street, Suite 600
13	1201 Northeast Lloyd Boulevard, Suite 500	Kansas City, Missouri 64108
	Portland, Oregon 97232	
14	KMC Data, LLC	Level 3 Communications, LLC
15	5300 Oakbrook Parkway, Suite 330	1025 Eldorado Boulevard
16	Norcross, Georgia 30093	Broomfield, Colorado 80021
17	Looking Glass Networks	Matrix Telecom, Inc.
18	Level 3 Communications, LLC	7171 Forest Lane, Suite 700
	1025 Eldorado Boulevard	Dallas, Texas 75230
	Broomfield, Colorado 80021	
19	MCImetro Access Transmission Srvcs., LLC	McLeodUSA Telecom. Services, Inc.
20	201 Spear Street, 9th Floor	6400 C Street
21	San Francisco, California 94105	Post Office Box 3177
		Cedar Rapids, Iowa 52406
22	Metropolitan Telecom. of AZ, Inc.	Mohave Cooperative Services, Inc.
23	44 Wall Street, 6th Floor	Post Office Box 20037
24	New York, New York 10005	Bullhead City, Arizona 86439
25	Mountain Telecommunications of AZ, Inc.	National Brands, Inc.
26	c/o Integra Telecom	dba Sharenet Communications
27	6160 Golden Hills Drive	4633 West Polk Street
28	Golden Valley, Minnesota 55416	Phoenix, Arizona 85043

1	Navigator Telecommunications, LLC. 8525 Riverwood Park Drive 2 Post Office Box 13860 3 North Little Rock, Arkansas 72113-0860	Neutral Tandem-Arizona, LLC 1 South Wacker Drive, Suite 200 Chicago, Illinois 60606
4	New Access Communications, LLC 60 South 6 th Street, Suite 2535 5 Minneapolis, Minnesota 55402	New Edge Network, Inc. dba New Edge Networks 3000 Columbia House Boulevard Vancouver, Washington 98661
7	NextG Networks of California, 2216 O'Toole Avenue 8 San Jose, California 95131	North County Communications Corporation of Arizona 3802 Rosencrans, Suite 485 San Diego, California 92110
10	NorthStar Telecom Inc. Matt O'Flaherty, President 1101 Hills Road 11 Fremont, Nebraska 68025	Orbitcom, Inc. 1701 North Louise Avenue Sioux Falls, South Dakota 57107
13	Pac-West Telecomm, Inc. 4210 Coronado Avenue 14 Stockton, California 95204	PNG Telecommunications, Inc. 100 Commercial Drive Fairfield, Ohio 45014
15	POPP Communications, Inc. 620 Mendelssohn Avenue North 16 Golden Valley, Minnesota 55427	QuantumShift Communications, Inc. dba vComm Solutions 12657 Alcosta Boulevard, Suite 418 San Ramon, California 94583
18	Qwest Communications Corporation 1801 California Street, Room 650 19 Denver, Colorado 80202	Rural Network Services, Inc. 123 West Main Street Post Office Box 167 Weiser, Idaho 83672
21	SBC Long Distance, LLC 1010 North St. Mary's, Room 1332 22 San Antonio, Texas 78215	Sprint Communications Company L.P. 6391 Sprint Parkway, MS: Z2400 Overland Park, Kansas 66251
23	Syniverse Technologies, Inc. 8125 Highwoods Palm Way 24 Tampa, Florida 33647-1776	Talk America Inc 2134 West Laburnum Avenue Richmond, Virginia 23227
25	TCG Phoenix Attn: Ms. Cindy Hardy 26 One AT&T Way, Room 2B115E 27 Bedminster, New Jersey 07921	Tel West Communications L.L.C. Post Office Box 94447 Seattle, Washington 98124
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1 Telscape Communications, Inc.
2 606 East Huntington Drive
3 Monrovia, California 91016
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5 Trans National Communications
6 International, Inc.
7 2 Charlesgate West
8 Boston, Massachusetts 02215
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10 TW Telecom of Arizona, LLC
11 10475 Park Meadows Drive, Suite 400
12 Littleton, Colorado 80124
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14 Valley Connections, LLC
15 Post Office Box 970
16 Wilcox, Arizona 85644
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18 Wholesale Carrier Service, Inc.
19 5471 North University Drive
20 Coral Springs, Florida 33067
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Time Warner Cable Information
Services (Arizona), LLC
290 Harbor Drive
Stamford, Connecticut 06902

Triplet Mountain Communications, Inc.
Post Office Box 779
10 Telecom Lane
Peridot, Arizona 85542

UCN, Inc.
7730 South Union Park Avenue, Suite 500
Midvale, Utah 84047

Verizon Select Services, Inc.
1 Verizon Way, MC VC22E243
Basking Ridge, New Jersey 07920

Wiltel Local Network, LLC
Level 3 Communications
1025 Eldorado Boulevard
Broomfield, Colorado 80021

XO Communications Services, Inc.
13865 Sunrise Valley Drive
Herndon, Virginia 20171

Ymax Communications Corporation
Post Office Box 6785
West Palm Beach, Florida 33405-6785

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

CORPORATION COMMISSION

FIXED UTILITIES

Editor's Note: Because the Corporation Commission is a separately elected constitutional body, the following Notice of Rulemaking Docket Opening was exempt from the Governor's Regulatory Review Plan memorandum, January 22, 2009. (See a copy of the memorandum in this issue on page 685.)

[R09-36]

- 1. Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 2, Corporation Commission – Fixed Utilities
Articles and their headings: 2, Electric Utilities; 5, Telephone Utilities;
Section numbers: R14-2-207, R14-2-208, R14-2-209, R14-2-506, R14-2-507

2. The subject matter of the proposed rule:

The proposed changes will update references to the 1997 National Electrical Safety Code to the 2007 edition, update the reference to the 1995 ASME Code for Pressure Piping to the 2007 edition, which has a revised title; update the reference to the 1989 American National Standard for Electric Power Systems and Equipment-Voltage Ratings (60 Hertz) to the 2006 edition; update the reference to the 1995 American National Standard Code for Electricity Metering to the 2008 edition, which has a revised title; expressly identify the publishers of the materials incorporated by reference, to be consistent with Arizona Revised Statutes (A.R.S.) § 41-1028 and the rules of the Secretary of State; update the mailing addresses and add web site addresses for the publishers of the materials incorporated by reference; change the location where the materials incorporated by reference are on file, from the Office of the Secretary of State to the Commission, to be consistent with A.R.S. § 41-1028 and the rules of the Secretary of State; and make minor stylistic revisions to the affected subsections to make the subsections more clear, concise, and understandable.

The agency docket number, if applicable:

RE-00000C-08-0394 and RT-00000J-08-0394

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 15 A.A.R. 630, April 17, 2009 (*in this issue*)

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Nancy Scott, Esq.
Attorney, Legal Division, Corporation Commission

Address: 1200 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-3402

Fax: (602) 542-4870

E-mail: nscott@azcc.gov

or

Name: Steve Olea
Assistant Director, Utilities Division, Corporation Commission

Address: 1200 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-7270

Fax: (602) 542-2129

E-mail: solea@azcc.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Public comment will be held on June 4, 2009, beginning at 10:00 a.m. or as soon as practicable thereafter, in Hearing Room 1 at the Commission's Phoenix offices of the Corporation Commission located at 1200 W. Washington St.,

Notices of Rulemaking Docket Opening

Phoenix, AZ 85007. The Hearing Division requests that initial written comments be received on or before May 18, 2009 and that responsive comments be received on or before June 1, 2009. However, written comments will be accepted through June 4, 2009. Comments should be submitted to Docket Control at the above address. Please reference docket number RE-00000C-08-0394 and RT-0000J-08-0394 on all documents.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Commission will likely bring this to Open Meeting for final approval in mid-summer, 2009. Notice of Proposed Rulemaking: 15 A.A.R. 630, April 17, 2009 (*in this issue*)

**NOTICE OF PROPOSED
RULEMAKING**

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

3. Third, to permanently assigned arrearages;
4. Fourth, to unassigned arrearages;
5. Fifth, to the handling fee for the month in which the Title IV-D Agency receives the support and other unpaid handling fees;
6. Sixth, to fees and costs;
7. Seventh, to futures.

B. For all recipients who applied for current assistance on or after October 1, 2009, the Title IV-D Agency shall disburse support and related payments, except as provided in R6-7-710 and R6-7-711 for federal income tax refund offsets, collected for an Arizona Title IV-D current assistance case as follows:

1. First, to current support assigned to the state of Arizona, not to exceed the total amount of unreimbursed cash assistance;
2. Second, to temporarily assigned arrearages which were assigned prior to October 1, 2009;
3. Third, to permanently assigned arrearages;
4. Fourth, to never assigned arrearages;
5. Fifth, to conditionally assigned arrearages based on assignments entered prior to October 1, 2009;
6. Sixth, to unassigned pre-assistance arrearages;
7. Seventh, to unassigned during-assistance arrearages;
8. Eighth, to the handling fee for the month in which the Title IV-D Agency receives the support and other unpaid handling fees;
9. Ninth, to fees and costs;
10. Tenth, to futures.

R6-7-713. Past Support Judgments

If a court or an administrative entity orders past support that covers a period in which the obligee was on cash assistance, the amount for that period is assigned to the state and the Title IV-D Agency shall distribute collections in accordance with A.R.S. § 46-408 and disburse support in accordance with this Article. If a child covered by the order was receiving Title IV-E foster care maintenance payments for any of the period covered by the judgment, the amount for that period is assigned to the state and collections shall be distributed in accordance with R6-7-608. A past support judgment ordered on or after September 25, 2008 does not accrue interest.

NOTICE OF PROPOSED RULEMAKING

**TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS;
SECURITIES REGULATION**

**CHAPTER 2. CORPORATION COMMISSION
FIXED UTILITIES**

Editor's Note: Because the Corporation Commission is a separately elected constitutional body, the following Notice of Proposed Rulemaking was exempt from the Governor's Regulatory Review Plan memorandum, January 22, 2009. (See a copy of the memorandum in this issue on page 685.)

[R09-37]

PREAMBLE

1. Sections Affected

R14-2-207
R14-2-208
R14-2-209
R14-2-506
R14-2-507

Rulemaking Action

Amended
Amended
Amended
Amended
Amended

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: Arizona Constitution Article XV § 3; A.R.S. §§ 40-202; 40-203; 40-321, 40-322, 40-281, 40-282
Implementing statute: Arizona Constitution Article XV § 3; A.R.S. §§ 40-202; 40-203; 40-321, 40-322, 40-281, 40-282

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 15 A.A.R. 651, April 17, 2009 (*in this issue*)

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Nancy Scott, Esq.
Attorney, Legal Division, Corporation Commission

Address: 1200 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-3402

Fax: (602) 542-4870

E-mail: nscott@azcc.gov

or

Name: Steve Olea
Assistant Director, Utilities Division, Corporation Commission

Address: 1200 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-7270

Fax: (602) 542-2129

E-mail: solea@azcc.gov

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The proposed changes will update references to the 1997 National Electrical Safety Code to the 2007 edition, update the reference to the 1995 ASME Code for Pressure Piping to the 2007 edition, which has a revised title; update the reference to the 1989 American National Standard for Electric Power Systems and Equipment-Voltage Ratings (60 Hertz) to the 2006 edition; update the reference to the 1995 American National Standard Code for Electricity Metering to the 2008 edition, which has a revised title; expressly identify the publishers of the materials incorporated by reference, to be consistent with Arizona Revised Statutes (A.R.S.) § 41-1028 and the rules of the Secretary of State; update the mailing addresses and add web site addresses for the publishers of the materials incorporated by reference; change the location where the materials incorporated by reference are on file, from the Office of the Secretary of State to the Commission, to be consistent with A.R.S. § 41-1028 and the rules of the Secretary of State; and make minor stylistic revisions to the affected subsections to make the subsections more clear, concise, and understandable.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

NOTE – The Arizona Corporation Commission is exempt from the requirements of A.R.S. § 41-1055 relating to economic, small business, and consumer impact statements. See A.R.S. § 41-1057(2). However, under A.R.S. § 41-1057(2), the Arizona Corporation Commission is required to prepare a “substantially similar” statement.

1. BRIEF DESCRIPTION: These amendments will amend existing rules (R14-2-207, R14-2-208 and R14-2-209) under Chapter 2 Article 2 entitled “Electric Utilities” and existing rules (R14-2-506 and R14-2-507) under Chapter 2 Section 5 entitled “Telephone Utilities” (collectively, “the Rules”). The proposed amendments to the existing rules are designed to update references to the National Electrical Safety Code, the American Society of Mechanical Engineers (“ASME”) Code For Pressure Piping, the American National Standard For Electric Power Systems and Equipment-Voltage Ratings (60 Hertz) and the American National Standard Code For Electricity Metering (collectively, “the updated standards”).

The amendments also expressly identify the publishers of the incorporated by reference materials, update the mailing addresses and add web site addresses for these publishers, and change the location where the incorporated by reference materials are on file from the Office of the Secretary of State to the Commission to be consistent with A.R.S. § 41-1028 and the rules of the Secretary of State.

Finally, the amendments make minor stylistic revisions to the affected subsections to make the subsections more clear, concise and understandable.

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

2. **NEED:** The Commission has jurisdiction over entities that are public service corporations within the meaning of Article XV of the Arizona Constitution. The subsections of the Commission's rules that are amended by this rulemaking contain references to technical standards which have been updated. The Commission believes that by amending its rules to adopt these updated incorporated by reference materials, the reliability of electric and telephone services and public safety will be enhanced which will be in the best interest of the public service corporations and of all citizens in the state of Arizona.
3. **NAME AND ADDRESS OF AGENCY EMPLOYEE WHO MAY BE CONTACTED TO SUBMIT ADDITIONAL DATA ON THE INFORMATION INCLUDED IN THIS STATEMENT:**
 - Name: Steve Olea
Assistant Director, Utilities Division, Corporation Commission
 - Address: 1200 W. Washington St.
Phoenix, AZ 85007
 - Telephone: (602) 542-7270
 - Fax: (602) 542-2129
 - E-mail: solea@azcc.gov
4. **AFFECTED CLASSES OF PERSONS:**
 - A. Owners and operators of electric utility generation systems.
 - B. Owners and operators of electric utility distribution systems.
 - C. Owners and operators of telephone utility networks.
 - D. Customers of electric and telephone utilities.
5. **RULE IMPACT ON AFFECTED CLASSES OF PERSONS:**
 - A. The impact on owners and operators of electric utility generation systems should be minimal. The Commission believes the utilities are already complying with the updated standards as they may be required by other political subdivisions. A minor cost may be incurred should a utility have need to purchase one or more of the updated standards.
 - B. The impact on owners and operators of electric utility distribution systems should be minimal. The Commission believes the utilities are already complying with the updated standards as they may be required by other political subdivisions. A minor cost may be incurred should a utility have need to purchase one or more of the updated standards.
 - C. The impact on owners and operators of telephone utility systems should be minimal. The Commission believes the utilities are already complying with the updated standards as they may be required by other political subdivisions. A minor cost may be incurred should a utility have need to purchase one or more of the updated standards.
 - D. The impact on customers of electric and telephone utilities should be continuation of receipt of service in a reliable and safe manner.
6. **COSTS AND BENEFITS TO THE AGENCY:** The proposed changes will have a minimal cost effect on the Commission and will have no impact on costs experienced by other state agencies. The Commission will benefit from adopting the updated standards by having rules that reflect changes in manufacturing, installation and maintenance of electric and telephone infrastructure that should better ensure enhanced service reliability and public safety.
7. **COSTS AND BENEFITS TO POLITICAL SUBDIVISIONS:** There will be no increases or decreases in costs or benefits to political subdivisions because the Commission does not have jurisdiction over political subdivisions and the Rules do not apply to them.
8. **COSTS AND BENEFITS TO PRIVATE PERSONS:** The amendments to the existing rules should have no cost effect upon private persons or users of electric and telephone service provided by regulated public utilities as the utilities are already required to be in compliance with standards. However, the amendments will benefit consumers, users and the general public by enhancing the safe operation and maintenance of electric and telephone systems.
9. **COST AND BENEFITS TO CONSUMERS OR USERS OF ANY PRODUCT OR SERVICE IN THE IMPLEMENTATION OF THE NEW RULES:** The proposed amendments to the existing rules should have no cost impact on consumers or users of the electric or telephone services provided by regulated utilities. As utilities come to the Commission for future rate cases, should some increased cost occur due to complying with these amendments, such cost would be included as part of the rate application. However, it is impossible to forecast the exact impact on final rates of any one issue at this time.

Notices of Proposed Rulemaking

The amendments will benefit consumers, users and the general public by enhancing the safe operation and maintenance of electric and telephone systems.

10. LESS COSTLY OR INTRUSIVE METHODS: The amendments to the rules are the least costly method for obtaining compliance with the updated standards and, with respect to the incorporated by reference materials, provide for the Commission's rules to be consistent with A.R.S. § 41-1028 and the rules of the Secretary of State.
11. ALTERNATIVE METHODS CONSIDERED: There are no alternative methods available that promulgate adoption of the updated standards and, with respect to the incorporated by reference materials, provide for the Commission's rules to be consistent with A.R.S. § 41-1028 and the rules of the Secretary of State.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Nancy Scott, Esq.
Attorney, Legal Division, Corporation Commission

Address: 1200 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-3402

Fax: (602) 542-4870

E-mail: nscott@azcc.gov

or

Name: Steve Olea
Assistant Director, Utilities Division, Corporation Commission

Address: 1200 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-7270

Fax: (602) 542-2129

E-mail: solea@azcc.gov

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Public comment will be held on June 4, 2009, beginning at 10:00 a.m. or as soon as practicable thereafter, in Hearing Room 1 at the Commission's Phoenix offices of the Arizona Corporation Commission located at 1200 W. Washington St., Phoenix, AZ 85007. The Hearing Division requests initial written comments be received on or before May 18, 2009 and responsive comments be received on or before June 1, 2009. However, written comments will be accepted through June 4, 2009. Comments should be submitted to Docket Control at the above address. Please reference docket number RE-00000C-08-0394 and RT-0000J-08-0394 on all documents.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

1. Institute of Electrical and Electronic Engineers, Inc., Pub. No. C2-2007: R14-2-207(E)(3)(c); R14-2-208(F)(1); R14-2-506(E)(3)(c); R14-2-507(E)
2. American Society of Mechanical Engineers, Pub. No. ANSI/ASME B31.1-2007, Power Piping (2007): R14-2-208(F)(1)
3. National Electrical Manufacturers Association, Pub. No. ANSI C84.1-2006 (American National Standard for Electric Power Systems and Equipment-Voltage Ratings (60 Hertz) (2006): R14-2-202(E)(1)
4. National Electrical Manufacturers Association, Pub. No. ANSI C12.1-2008 (American National Standard for Electric Meters; Code for Electricity Metering)(2008): R14-2-209(E)(1)

13. The full text of the rules follows:

**TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS;
SECURITIES REGULATION**

CHAPTER 2. CORPORATION COMMISSION
FIXED UTILITIES

ARTICLE 2. ELECTRIC UTILITIES

Section	
R14-2-207.	Line Extensions
R14-2-208.	Provision of Service
R14-2-209.	Meter Reading

ARTICLE 5. TELEPHONE UTILITIES

Section	
R14-2-506.	Construction Agreements
R14-2-507.	Provision of Service

ARTICLE 2. ELECTRIC UTILITIES

R14-2-207. Line Extensions

- A. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
- B. No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - 2. No change
- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- D. No change
- E. Single phase underground extensions in subdivision developments
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. The utility shall install or cause to be installed underground electric lines and related equipment with sufficient capacity and suitable materials that ensure adequate and reasonable electric service in the foreseeable future and in accordance with the applicable provisions of the 1997 edition (and no future editions) of ANSI C2 Institute of Electrical and Electronic Engineers, Inc., Pub. No. C2-2007, (The National Electrical Safety Code) (2007), including no future editions or amendments, with sufficient capacity and suitable materials which shall assure adequate and reasonable electric service in the foreseeable future. ANSI C2 which is incorporated by reference,

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

~~and on file with the Office of the Secretary of State Commission. Copies are and published by and available from the Institute of Electrical and Electronic Engineers, Inc., 345 East 47th Street, New York, New York 10017 3 Park Avenue, 17th Floor, New York, New York 10016, and through <http://ieeexplore.ieee.org>.~~

- d. No change
- 4. No change
 - a. No change
 - b. No change
 - c. No change
- 5. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change

F. No change

R14-2-208. Provision of Service

- A. No change
- 1. No change
 - 2. No change
 - 3. No change

- B. No change
- 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change

- C. No change
- 1. No change
 - 2. No change
 - 3. No change

- D. No change
- 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change

E. No change

F. Construction standard and safety

- 1. Each utility shall construct all facilities in accordance with the provisions of the ~~1997 edition (and no future editions) of ANSI C2 Institute of Electrical and Electronic Engineers, Inc., Pub. No. C2-2007, The (National Electrical Safety Code (2007), which is incorporated by reference in R14-2-207(E)(3)(c), and on file with the Office of the Secretary of State, and the 1995 edition (and no future editions) of and American Society of Mechanical Engineers, Pub. No. ANSI B31.1~~ ANSI/ASME B31.1-2007, Power Piping (2007), (ASME Code for Pressure Piping) including no future editions or amendments, which is incorporated by reference, and on file with the Office of the Secretary of State Commission. Copies of the National Electrical Safety Code are available from the Institute of Electrical and Electronic Engineers, Inc., 345 East 47th Street, New York, New York 10017. Copies of the ASME Code for Pressure Piping are and published by and available from the American Society of Mechanical Engineers, 345 East 47th Street, New York, New York 10017 3 Park Avenue, New York, New York 10016, and through <http://catalog.asme.org>.
- 2. Each utility shall adopt a standard alternating nominal voltage or standard alternating nominal voltages (as may be required by its distribution system) for its entire service area or for each of the several districts into which the system may be divided, which standard voltage or voltages shall be stated in the rules and regulations of each utility and shall be measured at the customer's service entrance. Each utility shall, under normal operating conditions, maintain its standard voltage or voltages within the limits of the ~~1989 edition (and no future editions) of National Electrical Manufacturers Association, Pub. No. ANSI C84.1~~ C84.1-2006, (American National Standard for Electric Power Systems and Equipment-Voltage Ratings {60Hz}) (60 Hertz) (2006), including no future editions or amendments, which is incorporated by reference, and on file with the Office of the Secretary of State Commission, and published by and Copies are available from the American National Standards Institute, 1430 Broadway, New York, New York 10018 National Electrical Manufacturers Association, 1300 North 17th Street, Suite 1752, Rosslyn, Virginia 22209, and through <http://www.nema.org>.

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

R14-2-209. Meter Reading

- A. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
- D. No change
- E. Meter testing and maintenance program.
 - 1. Each utility shall file with the Commission, through the Compliance Section, a plan for the routine maintenance and replacement of meters ~~which that~~ meets the requirements of the ~~1995 edition (and no future editions)~~ of National Electrical Manufacturers Association, Pub. No. ANSI C12.1 C12.1-2008, (American National Standard for Electric Meters: Code for Electricity Metering) (2008), including no future editions or amendments, which is incorporated by reference, and on file with the ~~Office of the Secretary of State Commission, and published by and~~ Copies are available from the Institute of Electrical and Electronics Engineers, Inc., 345 East 47th Street, New York, New York 10017 National Electrical Manufacturers Association, 1300 North 17th Street, Suite 1752, Rosslyn, Virginia 22209, and through www.nema.org.
 - 2. No change
 - a. No change
 - b. No change
- F. No change

ARTICLE 5. TELEPHONE UTILITIES

R14-2-506. Construction Agreements

- A. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
- B. No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - 2. No change

Notices of Proposed Rulemaking

- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- D. No change
- E. Underground extension of communication lines
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - 3. Installation of underground communication lines within subdivision and multiple occupancy residential developments:
 - a. No change
 - b. No change
 - c. The utility shall install or cause to be installed underground communication lines and related equipment with sufficient capacity and suitable materials that ensure adequate and reasonable communication service in the foreseeable future and in accordance with the applicable provisions of the ~~1997 edition (and no future editions)~~ of ANSI ~~C2~~ Institute of Electrical and Electronic Engineers, Inc., Pub. No. C2-2007, The (National Electrical Safety Code) (2007), which is incorporated by reference in R14-2-207(E)(3)(c) ~~with sufficient capacity and suitable materials which shall assure adequate and reasonable communication service in the foreseeable future.~~
 - d. No change
 - 4. No change
 - a. No change
 - b. No change
- F. No change
- G. No change

R14-2-507. Provision of Service

- A. No change
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- C. No change
 - 1. No change
 - 2. No change
- D. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- E. Construction standards. Each utility shall construct all facilities in accordance with the provisions of the ~~1997 edition (and no future editions)~~ of ANSI ~~C2~~ Institute of Electrical and Electronic Engineers, Inc., Pub. No. C2-2007, The (National Electrical Safety Code) (2007), which is incorporated by reference ~~and on file with the Office of the Secretary of State in R14-2-207(E)(3)(c).~~ Copies are available from the Institute of Electrical and Electronic Engineers, Inc., 345 East 47th Street, New York, New York 10017.