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May 15, 2000

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Re: Docket No. RE-00000C-00-0275 Retail Electric Competition Rules

Dear Sir or Madam:

Attached are APS Energy Services comments on the Retail Electric Competition Rules in response to the Utilities Director's letter dated April 28, 2000.

If you have any questions regarding the comments, please contact me at (602) 744-5348.

Sincerely yours,

Barbara A. Klemstine
Director, Regulatory Affairs

cc: Deborah Scott
Barbara Keene

APS Energy Services Comments on Revisions to the Retail Electric Competition Rules
May 15, 2000

R14-2-209(A)(8)

Delete "Electric Service Provider" and replace with "Utility"

Delete "Affected Utility" and replace with "Utility"

Justification: Utility refers to both the ESP and the Affected Utility. Therefore, the above change will also allow for estimated reads by the ESP if the Affected Utility fails to provide the reads for the load profiled customers it may be reading the meters for.

R14-2-1606 (G)

Add: (5) Upon written authorization by the customer, the Utility Distribution Company shall release in a timely and useful manner customer's most recent 12 month period billing data, including consumption, demand, dollars billed, and power factor to a customer-specified properly certificated Electric Service Provider.

Justification: ESP's are currently getting this data along with the 12-month energy and demands from SRP and APS as well as from UDC's in California. TEP has recently stopped providing the data indicating that the Rules do not require them to provide it. At this time most ESPs are offering a percent off standard offer and this information is necessary to set a base line to ensure offers are made properly and that the ESP can properly replicate the customer's bill on standard offer. With customer's written authorization such information should be made available.

R14-2-1612

(K)(1) Delete "EDI" before "formats"
Insert after "formats" "approved by the Director, Utilities Division"

(K)(4) Delete "Electronic Data Interchange (EDI)" before "formats"

Delete after "formats" "based on standards approved by the Utility Industry Group (UIG)" and replace with ",approved by the Director, Utilities Division"

(K)(5) Delete after "waiver" "an Electronic Data Interchange Format" and replace with "the standardized data exchange formats approved by the Director, Utilities Division"

Justification: The three recommended changes above will allow for utilizing new technological changes in the future without the need for a Rule change or a waiver. However, this will still provide for consistent statewide formats for data exchanges.

R14-2-1612 (K)(10)

Add at the end “at the customer’s discretion.”

Justification: There has been numerous discussions at the PSWG meetings on this topic. Clarification is needed to have consistency between the utilities’ interpretation of who decides which party “will” own the Instrument Transformers and to remove a potential barrier to customer choice. Arizona is one of the few states where Instrument Transformers (CT/PT/VTs) are NOT considered to be a part of the distribution system and therefore owned by the UDCs. In New York, Pennsylvania, Illinois, and California the UDCs all retain ownership of the transformers and the customers are NOT required to pay for this equipment just to enable service from a competitive provider. SRP and APS are not opposed to owning the Instrument Transformers. TEP will own them, but requires the ESP and customer to maintain and replace them. We believe the customer should be able to choose whether they want to own the equipment or whether they would rather the UDC retain ownership.

R14-2-1612 (K)(12)

**Delete “North American Reliability Council”
Replace with “The Director, Utilities Division shall approved standardized**

Delete “will” after “holidays” replace with “to”

Justification: Recommended change will delete the specific in the Rule and allow for changes in the future without any Rule change or waiver being required.

R14-2-1612 (N)

Add sentence at the end of the first paragraph “If an Electric Service Provider is offering a total price and not separately offering such services the individual billing elements need not be shown. A note and list that it is inclusive of the following elements is permitted.”

Justification: Today ESPs are offering one competitive price or a percentage off the standard offer rate. For instance, elements such as metering and transmission are not individually priced. Therefore, the ESPs should be permitted to only note what the bill is inclusive of these elements.

R14-2-1613 (A)(4)

Delete (A)(4)

Justification: This reporting requirement is burdensome in the competitive market to separate sales by size and type of contract. Beyond the first year such a requirement should be deleted.

R14-2-1613 (A)(7)

Delete (A)(7)

Justification: Agree that requirement to report assets should be deleted. Most assets are utilized to serve multiple states rather Arizona specific. Additionally need to clarify what portions of the Annual Report in 40-204 is required for ESPs. Only the reporting of revenues for the annual assessment for the ACC and RUCO should be required in addition to the reporting requirements in 1613 .

R14-2-1613 (G)

Delete from the first sentence "and in electronic format."

Justification: Information will be provided on a confidential basis. The electronic format is hard to clearly identify as confidential.