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BEFORE THE ARIZONA CORPORATI

IN THE MATTER OF THE NOTICE OF)	
PROPOSED RULE AMENDMENT FOR)	
FIXED UTILITY RULES R14-2-207,)	DOCKET NOS.
R14-2-208, R14-2-209, R14-2-506,)	RE-00000C-08-0394
AND R14-2-507.)	RT-00000J-08-0394
)	
)	ORAL
)	PROCEEDING

At: Phoenix, Arizona

Date: June 4, 2009

Filed:

JUN 10 2009

Arizona Corporation Commission
DOCKETED

JUN 10 2009

DOCKETED BY	<i>[Signature]</i>
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1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before the
3 Arizona Corporation Commission, in Hearing Room 1 of said
4 Commission, 1200 West Washington Street, Phoenix, Arizona,
5 commencing at 10:00 a.m., on the 4th day of June, 2009.

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8 BEFORE: SARAH N. HARPRING, Administrative Law Judge

9

10 APPEARANCES:

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12 For the Arizona Corporation Commission Staff:

13 Ms. Nancy Scott
14 Staff Attorney, Legal Division
15 1200 West Washington Street
16 Phoenix, Arizona 85007

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KATE E. BAUMGARTH, RPR
Certified Reporter
Certificate No. 50582

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1 ALJ HARPRING: Let's go on the record.

2 Good morning. I'm Administrative Law Judge
3 Sarah Harpring, and I have been assigned to preside over
4 this matter.

5 This is the oral proceeding in the matter of the
6 notice of proposed rule amendments for fixed utility rules
7 R-14-2-207, R-14-2-208, R-14-2-209, R-14-2-506, and
8 R-14-2-507. The docket numbers are RE-00000C-08-0394 and
9 RT-00000J-08-0394.

10 The notice of proposed rulemaking was published
11 in the Arizona Administrative Register on April 17th of
12 2009, and this oral proceeding is being held as provided
13 under Arizona Revised Statute §41-1043, to allow adequate
14 discussion of the substance and form of the proposed rules
15 and to allow persons to ask questions and present oral
16 arguments, data, and views on the proposed rules.

17 I will begin today by asking Staff to provide
18 information on the proposed rules, and I may ask questions
19 of Staff to clarify the record.

20 I will then take public comment, if there is any.
21 If anyone would like to provide public comment, please
22 come forward, and you can fill out a speaker slip and
23 bring it up to me.

24 Staff, may I have your appearance for the record?

25 MS. SCOTT: Good morning, Your Honor.

1 Nancy Scott on behalf of Commission Staff, and with me is
2 Richard Boyles from the Utilities Division.

3 ALJ HARPRING: Thank you. And have you prepared
4 a statement of information regarding the rulemaking?

5 MS. SCOTT: I have not, but perhaps Mr. Boyles
6 would give a quick summary.

7 MR. BOYLES: Yes, Judge Harpring. This is
8 Richard Boyles on behalf of Staff.

9 The proposed rulemaking, the purpose of it is
10 generally to update indirect references and the indicated
11 rules. It updates reference to the 1997 National Electric
12 Safety Code to the 2007 edition. It updates references to
13 the 1959 ASME code for pressure piping to the 2007
14 edition. And it updates references to the 1989 American
15 National Standard For Electric and Power Systems and
16 Equipment Voltage Ratings to the 2006 edition.

17 It also makes additional references in terms of
18 updating addresses for the various entities that the
19 standards are available from. It makes some additional
20 text changes to just improve clarity of the language and
21 also adds some Internet addresses for the publishers of
22 the rules.

23 ALJ HARPRING: Mr. Boyles, does it also update
24 the reference to the 1995 American National Standard Code
25 for Electricity Metering? I think either --

1 MR. BOYLES: Oh, pardon me. Your Honor, yes, I
2 did. I missed reading that. I'm sorry.

3 ALJ HARPRING: Either that or I didn't hear it.

4 Okay. Do you have any documents that you would
5 like me to have included in the exhibits for the
6 transcript of this proceeding?

7 MS. SCOTT: We do not, Your Honor.

8 ALJ HARPRING: Okay. So you would just like me
9 to take notice of the documents that have already been
10 filed?

11 MS. SCOTT: Yes, please.

12 ALJ HARPRING: And are you aware of any comments
13 that have been filed to date?

14 MS. SCOTT: We spoke this morning with Deb Reagan
15 with consumer services, and she indicated that she had not
16 received any comments from the public.

17 ALJ HARPRING: Okay. All right.

18 I have I think three questions for Staff, and
19 they have already been touched on in the economic impact
20 statement that was included in the notice of proposed
21 rulemaking, but I just want to clarify.

22 Does Staff believe that most local jurisdictions
23 already require compliance with the updated codes and
24 standards?

25 MR. BOYLES: Yes, Staff does.

1 ALJ HARPRING: And does Staff know the costs to
2 purchase the updated codes and standards?

3 MR. BOYLES: Yes, Staff does.

4 ALJ HARPRING: Okay. Can you give me those?

5 MR. BOYLES: If I could have just a moment.

6 ALJ HARPRING: Absolutely. Sure.

7 MR. BOYLES: The last time that Staff checked on
8 the costs, the National Electric Safety Code was
9 approximately \$153, the C84.1 voltage rating standard was
10 approximately \$56, the pressure piping standard was \$315,
11 and the C12.1 electric metering standard was approximately
12 \$124.

13 ALJ HARPRING: Okay. And finally, does Staff
14 believe that compliance with any of the updating codes and
15 standards would result in substantial costs?

16 MR. BOYLES: Staff does not believe so.

17 ALJ HARPRING: Okay. All right. It's now time
18 for public comment, should there be any. We have one
19 person in the audience.

20 Did you want to provide any comment?

21 MR. SWANSON: No.

22 ALJ HARPRING: Then please let the record show
23 that he would not like to provide public comment today.

24 Would Staff like to make any closing statement?

25 MS. SCOTT: We don't believe it's necessary

1 today.

2 ALJ HARPRING: Okay. Then just because you are
3 here, I will fill you in on the procedure to be followed
4 from this point forward.

5 The transcript from today's oral proceeding will
6 be available in approximately ten business days. After
7 receiving the transcript I will review it and I will
8 prepare a Recommended Opinion and Order for the
9 Commission's consideration at an opening meeting. It will
10 be served on everyone named in the service list for this
11 docket; it's relatively extensive, the service list.

12 The Recommended Opinion and Order will also be
13 docketed. After it's issued there will be a ten-day
14 period for persons to provide exceptions to the
15 Recommended Opinion and Order. And the Recommended
16 Opinion and Order, along with any timely exceptions, will
17 be considered by the Commission at an open meeting. And
18 as with all Recommended Opinions and Orders, it is, of
19 course, subject to Commission amendment and actually quite
20 substantial change.

21 So the Commission's decision will be the final
22 order in this matter, and it will direct Staff how to
23 proceed with the rulemaking. I would anticipate that the
24 next step is that Staff will be directed to take will be
25 the filing of a notice of final rulemaking with the

1 attorney general's office, but, of course, that is subject
2 to modifications should the Commission determine that that
3 is necessary.

4 Are there any additional issues that need to be
5 dealt with today, Staff?

6 MS. SCOTT: I don't believe so.

7 ALJ HARPRING: Well, then this matter will be
8 taken under advisement, and thank you for coming today.
9 This oral proceeding is adjourned.

10 (The hearing concluded at 10:10 a.m.)

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1 STATE OF ARIZONA.)
) ss.
 2 COUNTY OF MARICOPA)

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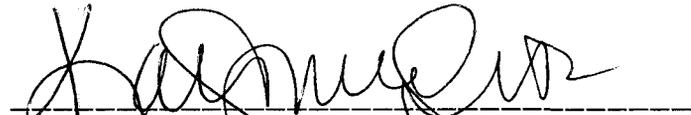
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I, KATE E. BAUMGARTH, RPR, Certified Reporter
 No. 50582, for the State of Arizona, do hereby certify
 that the foregoing printed pages constitute a full, and
 accurate transcript of the proceedings had in the
 foregoing matter, all done to the best of my skill and
 ability.

WITNESS my hand this 7th day of June, 2009.



 Kate E. Baumgarth, RPR
 Certified Reporter, No. 50582