

The Law Offices of
**CURTIS, GOODWIN, SULLIVAN
UDALL & SCHWAB, P.L.C.**

501 East Thomas Road
Phoenix, Arizona 85012
(www.cgsuslaw.com)
Telephone (602) 393-1700
Facsimile (602) 393-1703



0000100718

Michael A. Curtis
Susan D. Goodwin
Kelly Y. Schwab
Phyllis L.N. Smiley

William P. Sullivan
Larry K. Udall
Anja K. Wendel
Michelle Swann

Of Counsel
Joseph F. Abate
Thomas A. Hine

REFER TO FILE NO. 1234
MEC Drop

July 10, 2009

Commissioner Paul Newman
Commissioner Sandra Kennedy
Commissioner Bob Stump
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Arizona Corporation Commission

DOCKETED

DOCKETED BY	
-------------	--

Re: Mohave Electric Cooperative, Inc. Letter on ACC Fifth
Biennial Transmission Report/Docket No. E-00000D-07-0376

Dear Commissioners Newman, Kennedy and Stump:

Enclosed for your information please find a copy of a December 23, 2008 letter to the ACC Commissioners from Mohave Electric Cooperative, Inc. requesting clarification of renewable responsibility in the Fifth Biennial Transmission Report.

As reflected in the Notice of Filing (also enclosed), this letter was originally docketed on December 23, 2008, just prior to your taking office.

Very truly yours,

Michael A. Curtis
William P. Sullivan
For the Firm

RECEIVED
2009 JUL 16 P 2:07
AZ CORP COMMISSION
DOCKET CONTROL

MAC/maw

Enclosures: 12/22/08 Mohave Letter to ACC
12/23/08 Notice of Filing

cc: Docket Control (Duplicate original and 13 copies) with enclosures
Alan Stephens w/Enclosures

CGSUS HD: CGSUS AFS:COOPERATIVES:MEC and Affiliates:MOHAVE Electric:ACC Biennial Transmission:letters:071009 acc new commissioners-carlson letterwps.doc

1 ORIGINAL BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

2 COMMISSIONERS
3 MIKE GLEASON, CHAIRMAN
4 WILLIAM A. MUNDELL
5 JEFF HATCH-MILLER
6 KRISTIN K. MAYES
7 GARY PIERCE

2008 DEC 23 P 12: 24

AZ CORP COMMISSION
DOCKET CONTROL

8 IN THE MATTER OF:
9 FIFTH BIENNIAL TRANSMISSION
10 ASSESSMENT

DOCKET NO. E-00000D-07-0376

NOTICE OF FILING MOHAVE
ELECTRIC COOPERATIVE'S REQUEST
FOR CLARIFICATION

11 Mohave Electric Cooperative, Inc., by and through its Counsel undersigned,
12 hereby files with the Commission its comments on the Fifth Biennial Transmission
13 Assessment and a request for clarification on renewable responsibility as attached hereto.
14

15 DATED this 23rd day of December, 2008.

16 CURTIS, GOODWIN, SULLIVAN,
17 UDALL & SCHWAB, P.L.C.

18 Arizona Corporation Commission

19 DOCKETED

20 DEC 23 2008

21 DOCKETED BY

22 *mm*

23 By: *[Signature]*

24 Michael A. Curtis
25 William P. Sullivan
Ian D. Quinn
501 East Thomas Road
Phoenix, Arizona 85012-3205
Attorneys for Mohave Electric
Cooperative, Inc.

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

PROOF OF AND CERTIFICATE OF MAILING

I hereby certify that on this 23rd day of December, 2008, I caused the foregoing document to be served on the Arizona Corporation Commission by delivering the original and fifteen (15) copies of the above to:

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

COPY of the foregoing hand delivered/
mailed this 23rd day of December, 2008 to:

Commissioners
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Ernest Johnson, Utilities Director
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Chris Kempley
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Lyn Farmer
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Steve Olea, Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Prem Bahl, Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007



MOHAVE

electric cooperative

P.O. Box 1045, Bullhead City, Arizona 86430

December 22, 2008

Honorable Michael Gleason, Chairman
Honorable William Mundell, Commissioner
Honorable Jeff Hatch-Miller, Commissioner
Honorable Kristin Mayes, Commissioner
Honorable Gary Pierce, Commissioner
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Re: Clarification Request by Mohave Electric Cooperative, Inc. for
Renewable Responsibility in Fifth Biennial Transmission
Report

Dear Commissioners:

Mohave Electric Cooperative, Inc. ("Mohave") is compelled to supplement and clarify the record with respect to the recently enacted Order by the Commission on the Fifth Biennial Transmission Report with respect to jurisdictional distribution electric cooperative utilities similarly situated to Mohave being required to create renewable energy projects and associated transmission.

Mohave is solely a transmission dependent "distribution" electric entity ("TDU"). It does not have transmission. All of its transmission needs are provided by third parties. Other entities such as the Western Area Power Administration ("Western") and the Southwest Transmission Cooperative ("Transco") are responsible for furnishing all Mohave Electric transmission requirements for both delivery and interconnection. Mohave owns 69 kV and below facilities for distribution purposes. All Mohave facilities are radial in nature and operation and are used to supply distribution service (although internal to Mohave there are looped facilities to provide "continuity of service" in the event of outage). As a TDU, Mohave does not have any transmission plans of any type in any future work plans. As such, a list of options for Mohave transmission projects, whether to support the growth of renewable resources or not, does not exist.

As a TDU, all of the capital investment plans of Mohave are focused on distribution and retail load growth and continuity of service. A copy of our most recent RUS



Work Plan will demonstrate to you and Staff that all of our plans are distribution in nature. Mohave offers to sit down and discuss its Work Plan with the ACC or its Staff, however we need to maintain confidentiality since the plan is proprietary and cannot be shared with the general public. As a solely transmission dependent distribution electric cooperative, Mohave has neither the staff, nor the funding, nor the access to capital to investigate and create one or more renewable and related transmission projects.

However, Mohave Electric is completely open to meeting and conferring with entities and transmission providers seeking to establish and create renewable energy projects which require interconnection to the transmission system from which Mohave receives service. As indicated above, Mohave does not have any transmission plans of any type, and would rely on the transmission owners and developers in Arizona to develop lists of potential renewable transmission related projects. Mohave can provide a filing in support of, or objection to, plans developed by transmission owners and developers once the plans are filed with the Commission and shared with other TDU entities such as Mohave. Mohave will meet with such entities and confer on such renewable and transmission related matters consistent with the rules and regulations of the Commission and the constraints of the Rural Utilities Services ("RUS") (which is its primary lender and whose rules and regulations, as the financier of Mohave, are required to be complied with concurrently with those of the Commission).

As part of the Fifth Biennial Transmission Report, Mohave cooperated with the Commission consultants and the Arizona Corporation Commission Staff. It demonstrated that Mohave is not a transmission entity. Since Mohave is not a transmission entity nor a transmission planning entity, it is not a WECC/NERC transmission reliability entity. Mohave, as noted above, does not have the economic and staff resources otherwise required to enter the transmission business and become subject to WECC/NERC horrendously costly capital and operating fund requirements (an effort which requires in most cases creation of a new department and staff and budget).

As indicated, should a renewable energy project requiring transmission locate within Mohave's service territory, Mohave will endeavor to coordinate and cooperate with the renewable and transmission entities as they seek to gain access to the transmission grid.

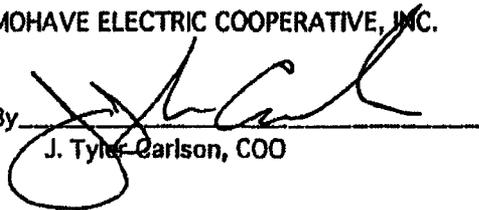
Mohave will also be supporting renewable energy through implementation of the REST program and other ACC renewable energy programs.

ACC Commissioners
12/22/08
Page 3

If there are questions or a need for further discussion, please contact the undersigned at (928) 758-0510.

Very truly yours,

MOHAVE ELECTRIC COOPERATIVE, INC.

By 

J. Tyler Carlson, COO

cc: Ernest Johnson, Utilities Director
Steve Olea, Utilities Division
Prem Bahl, Utilities Division Staff
Robert E. Broz, CEO, Mohave Electric
MEC General Counsel

CGSUS HD: CGSUS AFS:COOPERATIVES:MEC and Affiliates:MOHAVE Electric:ACC Biennial Transmission:letters:122208 acc
commissioners/mec biennial cmmts .doc