

ORIGINAL

OPEN MEETING AGENDA ITEM



0000101846



al

TO: Arizona Corporation Commission
FROM: The Solar Alliance
DATE: 8-21-09
DOCKET NO. E-20690A-09-0346

IN THE MATTER OF THE APPLICATION OF SOLARCITY FOR A DETERMINATION THAT WHEN IT PROVIDES SOLAR SERVICE TO ARIZONA SCHOOLS, GOVERNMENTS AND NON-PROFIT ENTITIES IT IS NOT ACTING AS A PUBLIC SERVICE CORPORATION PURSUANT TO ART.15, SECTION 2 OF THE ARIZONA CONSTITUTION (Docket No. E-20690A-09-0346.)

The Solar Alliance (Alliance) and the Vote Solar Initiative (Vote Solar) appreciate the opportunity to address the Arizona Corporation Commission (Commission) in this matter.

Alliance members, SunRun Inc. and SunPower Corporation (the Companies), have filed joint comments on this docket expressing two specific areas of concern with Staff's recommended Order. The Alliance and Vote Solar agree with the Companies' position in this matter. The recommended Order unnecessarily presumes Commission jurisdiction. The Alliance agrees with the Companies' proposed revisions that the recommended Order be revised to emphasize the limited nature of the Commission's approval of SolarCity's application for preliminary relief, and to ensure that the Commission's decision is made without prejudice to SolarCity's application for adjudication as not a public service corporation.

Respectfully submitted on behalf of the Solar Alliance and the Vote Solar Initiative,

Thomas J. Alston

Tom Alston
Arizona State Lead for the Solar Alliance

Adam Browning

Adam Browning
Executive Director, Vote Solar

Arizona Corporation Commission
DOCKETED

AUG 21 2009

DOCKETED BY *MM*

AZ CORP COMMISSION
DOCKET CONTROL

2009 AUG 21 P 2:14

RECEIVED