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Jordan R. Rose AZ Bar No.: 017452
Court S. Rich AZ Bar No. 021290
M. Ryan Hurley AZ Bar No. 024620
Rose Law Group pc
6613 N. Scottsdale Road, Suite 200
Scottsdale, Arizona 85250
Direct: (480) 240-5585
Fax: (480) 505-3925

Attorneys for Applicant SolarCity Corporation

BEFORE THE ARIZONA CORPORATION COMMISSION

KRISTIN K. MAYES
CHAIRMAN

SANDRA D. KENNEDY
COMMISSIONER

PAUL NEWMAN
COMMISSIONER

GARY PIERCE
COMMISSIONER

BOB STUMP
COMMISSIONER

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

NOTICE OF FILING

Applicant, SolarCity, hereby submits this notice of filing of the attached letter in support of the above referenced docket.

RESPECTFULLY SUBMITTED this 26 day of August, 2009.

Rose Law Group pc

Willie Rose FOR JORDAN ROSE

Jordan R. Rose
Court S. Rich
M. Ryan Hurley
6613 N. Scottsdale Road, Suite 200
Scottsdale, Arizona 85250
Direct: (480) 505-3936
Fax: (480) 505-3925
Attorneys for Applicant SolarCity Corp.

Arizona Corporation Commission
DOCKETED

AUG 26 2009

DOCKETED BY *MM*

1 Original and 13 copies filed this
2 day of August, 2009, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington Street
6 Phoenix, Arizona 85007

7 *Copies sent via electronic mail to:*

8 Mr. Bradley S. Carroll
9 Snell & Wilmer L.L.P.
10 One Arizona Center
11 400 E. Van Buren
12 Phoenix, Arizona 85004-2202
13 bcarroll@swlaw.com

14 Mr. Michael W. Patten, Esq.
15 Roshka DeWulf & Patten, PLC
16 400 E. Van Buren St.; Ste 800
17 Phoenix, Arizona 85004
18 mpatten@rdp-law.com

19 Mr. Steve Wene
20 Mayes Sellers & Sims Ltd.
21 1850 N. Central Ave; Ste 1100
22 Phoenix, Arizona 85004
23 Swene@lawms.com

24 Mr. Kenneth C. Sundlof, Jr.
25 Jennings, Strauss & Salmon,
26 P.L.C.
27 201 East Washington Street,
28 11th Floor
Phoenix, Arizona 85004-2385
Sundlof@jsslaw.com

Mr. Lawrence V. Robertson, Jr.
Attorney at Law
Post Office Box 1448
Tubac, Arizona 85646
tubaclawyer@aol.com

Ms. Kelly J. Barr
Salt River Project
Post Office Box 52025
Phoenix, Arizona 85072-2025
Kelly.barr@srpnet.com

Mr. Timothy M. Hogan
Arizona Center for Law in the
Public Interest
202 E. McDowell Rd; Ste 153
Phoenix, Arizona 85004
thogan@aclpi.org

Ms. Deborah R. Scott
Pinnacle West Capital
Corporation
400 N. Fifth St., MS 8695
Phoenix, Arizona 85004
Deb.scott@pinnaclewest.com

Mr. David Berry
Western Resource Advocates
Post Office Box 1064
Scottsdale, Arizona 85252-1064
azbluhill@aol.com

Mr. Daniel W. Pozefsky
1110 W. Washington St; Ste 220
Phoenix, Arizona 85007
dpozefsky@azruco.com

Mr. C. Webb Crockett
Mr. Patrick J. Black
Fennemore Craig, P.C.
3003 N. Central Ave; Ste 2600
Phoenix, Arizona 85012-2913
wcrocket@fclaw.com

Mr. Michael A. Curtis
Curtis, Goodwin, Sullivan,
Udall & Schwab, PLC
501 E. Thomas Rd.
Phoenix, Arizona 85012-3205
Mcurtis401@aol.com

Mr. Kenneth R. Saline
K. R. Saline & Associates, PLC
160 N. Pasadena; Ste 101
Mesa, Arizona 85201-6764
krs@krsaline.com

Mr. Philip J. Dion, Jr., Esq.
Tucson Electric Power Co.
One S. Church St; Ste 200
Tucson, Arizona 85702
Philip.dion@azbar.org

Mr. Jeffrey T. Murray
Moyes Sellers & Sims
1850 N. Central Ave.; Ste 1100
Phoenix, Arizona 85004
jtmurray@lawms.com

Mr. Steven M. Olea
Utilities Division Arizona
Corporation Commission
1200 W. Washington St.
Phoenix, Arizona 85007
solea@azcc.gov

Ms. Janice M. Alward
Legal Division Arizona
Corporation Commission
1200 W. Washington St.
Phoenix, Arizona 85007
jalward@azcc.gov

Jordan R. Rose AZ Bar No.: 017452
Court S. Rich AZ Bar No. 021290
M. Ryan Hurley AZ Bar No. 024620
Rose Law Group pc
6613 N. Scottsdale Road, Suite 200
Scottsdale, Arizona 85250
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IN THE MATTER OF THE)
APPLICATION OF SOLARCITY)
FOR A DETERMINATION THAT) **DOCKET NO. E-20690A-09-0346**
WHEN IT PROVIDES SOLAR)
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ART. 15, SECTION 2 OF THE)
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SOLARCITY'S NOTICE OF FILING



City of Phoenix

OFFICE OF THE MAYOR



MAYOR PHIL GORDON

August 25, 2009

Dear Commissioners,

As Mayor, I am writing in support of SolarCity Corporation's request for approval to enter into Solar Services Agreements ("SSA") with the Scottsdale School District and other schools, non-profits, and governmental entities. The City of Phoenix has been a strong advocate of innovative and effective solutions for the advancement and adoption of renewable energy -- particularly solar energy. As the City looks toward increasing the number of solar systems on government buildings, it is vital that we work with the industry to find the most cost-effective way for the City to implement these systems.

Solar systems offer the potential to significantly reduce energy costs, hedge against long-term utility rate increases, and reduce greenhouse gas emissions. To date, the Commission has made commendable progress toward these goals by being a leader on renewable energy policy and by instituting a regulatory framework to encourage the adoption of solar and, in particular, distributed solar generation. However, these laudable efforts may be wasted if we do not work to solve the last significant barrier to widespread solar adoption: the high up-front costs of a solar system.

The solar industry has provided the solution to this problem in the form of Solar Service Agreements. As you know, the SSA financing arrangement allows governmental entities like Phoenix to adopt solar systems with zero up-front capital expenditures. This is made possible by the unique structure of an SSA which allows a third-party owner/investor to capitalize on the federal tax incentives that would otherwise be lost if the system were owned or leased by the City. The SSA financing arrangement is a win-win solution for the industry, the City, the State and ultimately the taxpayers. Without this solution, significant solar adoption for the City will remain a dream instead of a reality, as the up-front costs are simply prohibitive.

For these reasons, as you understand it under the business model that is before the commission we encourage the Commission to grant SolarCity's request.

Additionally, the City also encourages the Commission to support APS's request to increase the cap on renewable energy rebate incentives and to temporarily allocate a portion of the residential incentive funds to schools. (I don't need to tell you the long and impressive history of community service that APS has demonstrated in our community. From sponsoring events, both big and small – including our annual Festival of Light Parade -- to purchasing smoke-detectors for residents who cannot afford them – APS finds ways to put our community first, and step up to every challenge).

It is our understanding that a large portion of the residential funds for this year are likely to go unused while schools may be unable to adopt solar systems due to lack of sufficient incentive funds. A one-time reallocation of these incentive funds will allow the schools to install solar and cut costs at a time when they need every penny they can find. This is a much better result for taxpayers and ratepayers than allowing the residential funds to sit unused.

These requests are of vital importance for the economic and overall well-being of our residents and we hope the Commission will provide swift and decisive guidance.

Thank you for your continued efforts on these issues and for your leadership for Arizona.

Sincerely,

A handwritten signature in black ink that reads "Phil Gordon". The signature is written in a cursive, flowing style.

Phil Gordon
Mayor