

ORIGINAL

NEW APPLICATION



RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS Arizona Corporation Commission SEP 17 P 4:15

KRISTIN K. MAYES, Chairman DOCKETED

GARY PIERCE

PAUL NEWMAN

SANDRA D. KENNEDY

BOB STUMP

SEP 17 2009

ARIZONA CORPORATION COMMISSION DOCKET CONTROL

DOCKETED BY [Signature]

E-01049A-09-0444

IN THE MATTER OF THE APPLICATION OF MORENCI WATER & ELECTRIC COMPANY FOR APPROVAL OF ITS NET METERING TARIFF

Docket No. E-01049A-09-_____

APPLICATION

Morenci Water & Electric Company (Electric Division) ("MWE"), through its undersigned counsel, requests that the Commission authorize and approve its proposed net metering tariff. In support of the Application, MWE states:

1. The Commission approved Net Metering Rules in Decision No. 70567 (October 28, 2008). Those rules were filed with the Arizona Secretary of State on March 24, 2009, and became effective May 23, 2009. MWE had 120 days from May 23, 2009, to file its net metering tariff proposal. That tariff proposal must receive Commission approval before it can take effect.

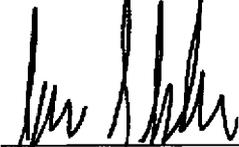
2. MWE proposes to use a different billing credit or payment, instead of avoided costs. This is because MWE does not own any generation assets and does not enter into any long-term fuel or purchase power contracts. As a result, the average avoided cost of energy is volatile and does not serve the customer's interest to have a billing credit that has the potential to fluctuate rapidly.

3. To ensure that the billing credit provides enough incentive to customers to pursue distributed generation resources that use renewable resources, a fuel cell, or combined heat and power - as defined under the Net Metering Rules - MWE proposes that the billing credit be equal to its authorized base cost of fuel and purchased power of \$0.075220 per kWh. MWE does not propose factoring in its authorized purchase power and fuel adjustor clause rate because that would result in a billing credit of about \$0.056220 per kWh.

1 WHEREFORE, MWE requests that its Net Metering Tariff be approved as proposed.

2 RESPECTFULLY SUBMITTED this 17th day of September, 2009.

3 MORENCI WATER & ELECTRIC COMPANY

4
5
6 By 

Michael W. Patten

Jason D. Gellman

ROSHKA DEWULF & PATTEN, PLC.

One Arizona Center

400 East Van Buren Street, Suite 800

Phoenix, Arizona 85004

7
8
9
10
11
12
13
14
15 Original and thirteen copies of the foregoing
filed this 17th day of September, 2009, with:

16 Docket Control

17 ARIZONA CORPORATION COMMISSION

18 1200 West Washington Street

19 Phoenix, Arizona 85007

20 Copy of the foregoing hand-delivered
this 17th day of September, 2009, to:

21 Lyn A. Farmer, Esq.

22 Chief Administrative Law Judge

23 Hearing Division

24 ARIZONA CORPORATION COMMISSION

25 1200 West Washington Street

26 Phoenix, Arizona 85007

1 Janice Alward, Esq.
Chief Counsel, Legal Division
2 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
3 Phoenix, Arizona 85007

4 Steve Olea
5 Director, Utilities Division
ARIZONA CORPORATION COMMISSION
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8
9 Debbie Amund

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

THE MORENCI WATER AND ELECTRIC COMPANY ("MWE")

NET METERING TARIFF

Applies to: The Morenci Water & Electric Company Certificated Service Area
Greenlee and Graham Counties, Arizona

AVAILABILITY

This rate schedule is available in the Company's certificated service area at all points where facilities of adequate capacity and the required phase and suitable voltage are adjacent to the sites served.

APPLICATION

This rate schedule is offered to all customers with metered kWh usage with a Net Metering Facility that uses Renewable Resources, a fuel cell, or combined heat and power (CHP) to produce electricity.

Definitions of key terms are as follows:

- Combined Heat and Power (CHP) – A system that generates electricity and useful thermal energy in a single, integrated system such that the useful power output of the facility plus one-half the useful thermal energy output during any 12-month period must be no less than 42.5 percent of the total energy input of fuel to the facility. A.A.C. R14-2-2302.4.
- Customer Supply – Energy (kWh) from a customer-owned Net Metering Facility that exceeds the customer's load at a point in time and is fed back into the Company's electric system, as metered by the Company.
- Customer Purchase – Energy (kWh) that is provided from the Company to the customer to serve the load that is not being by a customer-owned Net Metering Facility, as metered by the Company.

ISSUED BY:

Ruel Rogers Jr., Superintendent
Morenci Water & Electric Company
401 Burro Alley, Post Office Box 68
Morenci, Arizona 85540

- Excess Generation – Equals the Customer Supply (kWh) less the Customer Purchase (kWh) over a monthly billing period.
- Fuel Cell – A device that converts the chemical energy of a fuel directly into electricity without intermediate combustion or thermal cycles. For purposes of this rate schedule, the source of the chemical reaction must be derived from Renewable Resources. A.A.C. R14-2-2302.8.
- Net Metering – Service to an MWE customer under which electric energy generated by or on behalf of that customer from a Net Metering Facility and delivered to MWE's facilities may be used to offset electric energy provided by MWE to the customer during the applicable billing period. A.A.C. R14-2-2302.11.
- Net Metering Customer – Any customer of MWE who chooses to take Net Metering electric service under this Tariff, which is in accordance with the Arizona Corporation Commission Net Metering Rules at A.A.C. R14-2-2301 through R14-2-2308. A.A.C. R14-2-2302.12.
- Net Metering Facility – A facility for the production of electricity that:
 - Is operated by or on behalf of a Net Metering customer and is located on the net meter customer's premises and;
 - Is intended primarily to provide part or all of the net metering customer's requirement for electricity and;
 - Uses Renewable Resources, a fuel cell, or CHP to generate electricity; and
 - Has a generating capacity less than or equal to 125% of the net metering customer's total connected load, or in absence of customer load data, capacity less than or equal to the customer's electric service drop capacity; and
 - Is interconnected with and can operate in parallel and in phase with the Company's existing distribution system.A.A.C. R14-2-2302.13.

ISSUED BY:

Ruel Rogers Jr., Superintendent
Morenci Water & Electric Company
401 Burro Alley, Post Office Box 68
Morenci, Arizona 85540

- Renewable Resources – Natural resources that can be replenished by natural processes, including: biogas, biomass, geothermal, hydroelectric, solar or wind. A.A.C. R14-2-2302.14.

Other terms are defined in and are pursuant to the Commission's Net Metering Rules at A.A.C. R14-2-2302 and approved in Decision No. 70657 (October 23, 2008).

TYPE OF SERVICE

Electric sales to the Company must be single phase or three phase, 60 Hertz, at one standard voltage as may be selected by customer (subject to availability at the premises).

BILLING

- A. During the billing period for: (1) Customer Purchases in excess of Customer Supply, the Company shall bill the customer for the net kWh supplied by the Company in accordance with the Rates in MWE's Statement of Charges – General Electric Service – Sheet No. 1.3 (Effective April 1, 1992); (2) Customer Supply in excess of Customer Purchases (Excess Generation), the Company shall credit the customer the Excess Generation kWh in subsequent billing periods.
- B. Basic Service Charges and, if applicable, Demand Charges (either metered or by contract) will continue to apply in full.
- C. For the last billing period of each calendar year or for the last billing period at the time the customer discontinues taking service under this rate schedule – the Company shall issue a billing credit to the customer for any remaining Excess Generation balance. In the event the customer's electric service is terminated, after applying a billing credit for any Excess Generation up to the amount the customer owes the Company, the Company shall issue a check for the remaining value of the Excess Generation balance. The billing credit or payment will be determined at the

Issued: [DATE]

Effective: [DRAFT]

ISSUED BY:

Ruel Rogers Jr., Superintendent
Morenci Water & Electric Company
401 Burro Alley, Post Office Box 68
Morenci, Arizona 85540

Company's authorized base cost of purchase power as approved in Decision No. 57712 (October 10, 1985) and is set forth below:

Authorized Base Cost of Purchase Power: 7.5220 cents per kWh.

Total billing credit or payment: 7.5220 cents per kWh.

CONTRACT PERIOD

Any applicable contract period(s) will be set forth in an agreement between the customer and the Company.

METERING

Customers served under this rate schedule will require a bi-directional meter that will register and accumulate the net electrical requirements of the customer. The Company will install such a meter at the customer's Net Metering Facility if proper metering is not already present. The initial incremental metering costs for bi-directional metering and the facility meter will be incurred by the Company. A bi-directional meter may not be required if the generating capacity of the Net Metering Facility is less than 10 percent of the customer's lowest billing demand over the previous 12 months, or as otherwise determined by the Company through available information – and if the customer agrees that they do not intend to net any Excess Generation on their monthly bill.

TERMS AND CONDITIONS

Service under this rate schedule is subject to the Company's Terms and Conditions for Standard Offer and Direct Access Services.

4

Issued: [DATE]

Effective: [DRAFT]

ISSUED BY:

Ruel Rogers Jr., Superintendent
Morenci Water & Electric Company
401 Burro Alley, Post Office Box 68
Morenci, Arizona 85540