

ORIGINAL

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

KRISTIN K. MAYES, Chairman
GARY PIERCE, Commissioner
SANDRA D. KENNEDY, Commissioner
PAUL NEWMAN, Commissioner
BOB STUMP, Commissioner

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Arizona Corporation Commission
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IN THE MATTER OF THE NOTICE OF) DOCKET NO. RE-00000A-09-0249
PROPOSED RULEMAKING REGARDING)
RESOURCE PLANNING)

ATDUG COMMENTS REGARDING
THE PROPOSED RULEMAKING REGARDING RESOURCE PLANNING

Pursuant to the Utilities Division Memorandum of November 2, 2009, the Arizona Transmission Dependent Utility Group ("ATDUG")¹ submits the following comments.

We note that Paragraphs K. and L. on Proposed Rule R-14-2-703 contemplate a load-serving entity having to provide confidential business data to Commission Staff. If a confidentiality agreement is reached between the load-serving entity and the Commission, such confidential business data will not be submitted to Docket Control and will not be open to public inspection or otherwise made public except upon an order of the Commission.

It is also possible that information that would be submitted to the Commission could constitute Confidential Electricity Infrastructure Information ("CEII") as such is defined by the Federal Energy Regulatory Commission. We believe it would be prudent for the Commission to

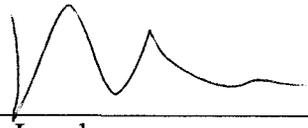
¹ Aguila Irrigation District, Ak-Chin Indian Community, Buckeye Water Conservation & Drainage District, Central Arizona Water Conservation District, Electrical District No. 3, Electrical District No. 4, Electrical District No. 5, Electrical District No. 7, Electrical District No. 8, Harquahala Valley Power District, Maricopa County Municipal Water District No. 1, McMullen Valley Water Conservation and Drainage District, Roosevelt Irrigation District, City of Safford, Tonopah Irrigation District, Wellton-Mohawk Irrigation and Drainage District.

1 consider adding CEII to these provisions in its Proposed Rules to provide adequate protection for
2 CEII in possession of load-serving entities and possibly otherwise subject to these Rules.

3 Thank you for the opportunity to comment on this rulemaking.

4 RESPECTFULLY SUBMITTED this 16th day of November, 2009.

5 ROBERT S. LYNCH & ASSOCIATES

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8 By 

9 Robert S. Lynch
10 Karlene E. Martorana
11 340 E. Palm Lane Suite 140
12 Phoenix, AZ 85004-4603
13 Attorneys for the Arizona Transmission
14 Dependent Utility Group

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16
17 Original and 13 copies filed this
18 16th day of November, 2009 with:

19 Docket Control
20 Arizona Corporation Commission
21 1200 West Washington Street
22 Phoenix, Arizona 85007

23
24
25 By 

Robert S. Lynch