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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

2 COMMISSIONERS

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AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY	<i>[Signature]</i>
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8 IN THE MATTER OF THE APPLICATION OF  
 9 ARIZONA PUBLIC SERVICE COMPANY  
 10 FOR A HEARING TO DETERMINE THE  
 11 FAIR VALUE OF THE UTILITY PROPERTY  
 OF THE COMPANY FOR RULEMAKING  
 PURPOSES, TO FIX A JUST AND  
 REASONABLE RATE OF RETURN  
 THEREON, TO APPROVE RATE  
 SCHEDULES DESIGNED TO DEVELOP  
 SUCH RETURN.

DOCKET NO. E-01345A-08-0172

**STAFF'S REQUEST FOR PROCEDURAL ORDER**

12 Section 14.10 of the Settlement Agreement sets forth a timeframe for review and approval of  
 13 APS' 2010 Energy Efficiency Implementation Plan ("Plan"). Specifically, the Agreement states as  
 14 follows:

15 By July 15, 2009, APS shall file for the Commission's approval in this  
 16 Docket the 2010 Energy Efficiency Implementation Plan with new  
 17 and/or expanded programs or program elements necessary to achieve  
 18 the 2010 energy efficiency goal, including the enhancements and  
 19 program elements set forth below. Staff shall review the Plan and  
 20 provide its recommendations to the Commission in sufficient time so  
 21 that the Commission may consider the matter at its regular November  
 Open Meeting. In an effort to achieve timely approval of the Plan, the  
 Signatories urge the Commission to take action on the Implementation  
 Plan on or before the date it takes action on the Agreement. Such  
 Implementation Plan will make clear that its obligations therein are  
 contingent upon Commission approval of the Agreement.

22 Unfortunately, Staff has been unable to complete its review of the Plan within the timeframe  
 23 contemplated by Section 14.10 due to the complexity of the Plan, Staff's limited resources and the  
 24 volume of additional pending matters, including 2010 REST implementation plans and tariffs, the  
 25 need for the Plan to be reviewed and approved in sufficient time for APS to fulfill its obligations in  
 26 Section 14.

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1 Of the ten programs comprising the 2010 Energy Efficiency Implementation Plan, Staff will  
2 review the following four programs and docket its recommendations thereon by December 2, 2009:

- 3 1. Low Income Weatherization enhancements
- 4 2. Appliance Recycling
- 5 3. Raising the consumer cap on the schools program
- 6 4. Self Direction

7 Staff notes that a docketing date of December 2, 2009 could allow the Commission to consider these  
8 four items at its December 7-11, 2009 special open meeting (the meeting at which the APS  
9 Recommended Opinion and Order) if the period for exceptions is shortened. Staff hereby requests  
10 that the ALJ appropriately shorten applicable exception period to allow the four items listed above to  
11 be considered at the Commission's December 7-11, 2009 special open meeting.

12 Staff hopes to complete its review of the remaining items of the Plan for Commission  
13 consideration at the January 2010 regular open meeting.

- 14 5. Expansion of existing programs
- 15 6. Non-Residential Customer Repayment Financing Program
- 16 7. Consumer Products – pool pump and timer
- 17 8. Non-Residential New Construction – High Performance
- 18 9. Residential Existing Homes – Home Performance
- 19 10. Residential New Construction – High Performance

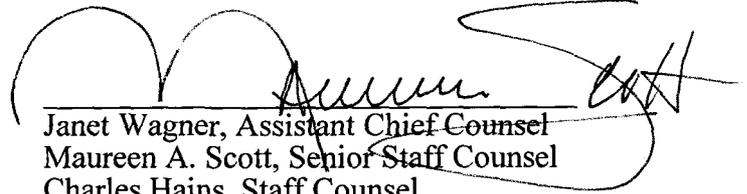
20 Staff notes that some of the Plan elements set forth in the second grouping are particularly complex.  
21 Staff will do its best to meet the filing date for the Commission's January regular open meeting, but  
22 cautions that some additional processing time may be needed in order to thoroughly evaluate these  
23 plan elements. Staff acknowledges the importance of the timely processing of this matter to enable  
24 APS to meet its energy efficiency goals.

25 On November 20, 2009, Staff provided this schedule to all parties to the APS rate case docket.  
26 To date, no party has objected.

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1 Staff therefore requests that the Commission shorten the exception period that would  
2 otherwise be applicable to Staff's December 2, 2009 filing to allow this matter to be placed on the  
3 Commission's December 7-11, 2009 special open meeting.

4 RESPECTFULLY SUBMITTED this 24<sup>th</sup> day of November, 2009.

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8  
9  
10  
11  
  
Janet Wagner, Assistant Chief Counsel  
Maureen A. Scott, Senior Staff Counsel  
Charles Hains, Staff Counsel  
Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007  
(602) 542-3402

12 Original and thirteen (13) copies  
13 of the foregoing were filed this  
24<sup>th</sup> day of November, 2009 with:

14 Docket Control  
15 Arizona Corporation Commission  
1200 West Washington Street  
16 Phoenix, Arizona 85008

17 Copies of the foregoing mailed this  
24<sup>th</sup> day of November, 2009 to:

18 Thomas L. Mumaw  
19 Meghan H. Grabel  
PINNACLE WEST CAPITAL CORPORATION  
20 LAW DEPARTMENT  
P.O. Box 53999  
Phoenix, Arizona 85072-3999

21 William J. Maledon  
22 OSBORN MALEDON P.A.  
2929 North Central Avenue  
23 Phoenix, Arizona 85067-6379

24 Robert Metli  
25 SNELL & WILMER L.L.P.  
400 East Van Buren Street  
26 Phoenix, Arizona 85004-2202

Barbara Klemstine  
Zachary Fryer  
Susan Casady  
ARIZONA PUBLIC SERVICE COMPANY  
P.O. Box 53999  
Mail Station 9708  
Phoenix, Arizona 85072-3999

Michael L. Kurtz  
Kurt J. Boehm  
BOEHM, KURTZ & LOWRY  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202

C. Webb Crockett  
Patrick J. Black  
FENNEMORE CRAIG P.C.  
3003 North Central Avenue, Suite 2600  
Phoenix, Arizona 85012-2913

27 Lawrence V. Robertson, Jr.  
Attorney at Law  
28 P.O. Box 1448  
Tubac, Arizona 85646

1 Michael A. Curtis  
William P. Sullivan  
2 Larry K. Udall  
CURTIS, GOODWIN, SULLIVAN,  
3 UDALL & SCHWAB, P.L.C.  
501 East Thomas Road  
4 Phoenix, Arizona 85012-3205  
5 Timothy M. Hogan  
ARIZONA CENTER FOR LAW IN  
6 THE PUBLIC INTEREST  
202 East McDowell Road, Suite 153  
7 Phoenix, Arizona 85004  
8 Daniel W. Pozefsky  
RUCO  
9 1110 West Washington Street, Suite 220  
Phoenix, Arizona 85007  
10 Michael M. Grant  
11 GALLAGHER & KENNEDY  
2575 East Camelback Road  
12 Phoenix, Arizona 85016-9225  
13 Gary Yaquinto  
ARIZONA INVESTMENT COUNCIL  
14 2100 North Central Avenue, Suite 210  
Phoenix, Arizona 85004  
15 Jay I. Moyes  
16 MOYES SELLERS & SIMS  
1850 North Central Avenue, Suite 1100  
17 Phoenix, Arizona 85004-0001  
18 David Berry  
WESTERN RESOURCE ADVOCATES  
19 P.O. Box 1064  
Scottsdale, Arizona 85252  
20 Jeff Schlegel  
21 SWEEP Arizona Representative  
1167 West Samalayuca Drive  
22 Tucson, Arizona 85704  
23 Jeffrey J. Woner  
K.R. SALINE & ASSOC., PLC  
24 160 North Pasadena, Suite 101  
Mesa, Arizona 85201  
25 Scott Canty, General Counsel  
26 THE HOPI TRIBE  
P.O. Box 123  
27 Kykotsmovi, Arizona 86039  
28

Cynthia Zwick  
1940 East Luke Avenue  
Phoenix, Arizona 85016

Nicholas J. Enoch  
LUBIN & ENOCH, P.C.  
349 North 4<sup>th</sup> Avenue  
Phoenix, Arizona 85003

Carlo Dal Monte  
65 Front Street, Suite 201  
Nanaimo, British Columbia V9R 5H9

Barbara Wyllie-Pecora  
27458 N. 128<sup>th</sup> Dr.  
Peoria, Arizona 85383

Amanda Ormond  
7650 S. McClintock  
Suite 103-282  
Tempe, Arizona 85284

Douglas Fant  
3655 W. Anthem Way  
-A-109 PMB 411  
Anthem, Arizona 85086

Lieutenant Colonel Karen White  
AFLSA/JACL-ULT  
139 Barnes Dr., Suite 1  
Tyndall AFB, Florida 32403-5319

John Moore, Jr.  
7321 North 16<sup>th</sup> Street  
Phoenix, Arizona 85020

Steve Morrison  
SCA TISSUE NORTH AMERICA  
14005 West Old Highway 66  
Bellemont, Arizona 86015

Kevin Higgins  
ENERGY STRATEGIES, LLC  
215 South State Street, Suite 200  
Salt Lake City, Utah 84111

