

ORIGINAL



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B

MEMORANDUM

TO: Docket Control

FROM: Steven M. Olea
Director
Utilities Division

DATE: January 14, 2010

RE: STAFF REPORT FOR SOUTHWEST TRANSMISSION COOPERATIVE, INC.'S APPLICATION FOR AUTHORIZATION TO INCUR DEBT AND SECURE LIENS ON ITS PROPERTY TO FINANCE ITS 2009-2010 CONSTRUCTION WORK PLAN. (DOCKET NO. E-04100A-09-0250)

Attached is the Staff Report for the Cooperative's application for authority to incur debt and encumber property. Staff recommends conditional approval.

Any party who wishes may file comments to the Staff Report with the Commission's Docket Control by 4:00 p.m. on or before January 28, 2010.

SMO:JCM:red

Originator: Juan C. Manrique

Arizona Corporation Commission

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JAN 14 2010

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Arizona Corporation Commission
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Service List for: Southwest Transmission Cooperative, Inc.
Docket No. E-04100A-09-0250

Mr. Michael Grant
Gallagher & Kennedy, P.A.
2575 East Camelback Road
Phoenix, Arizona 85016-9225

Ms. Janice Alward
Chief Counsel, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Mr. Steven M. Olea
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Ms. Lyn Farmer
Chief Administrative Law Judge, Hearing Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

**STAFF REPORT
UTILITIES DIVISION
ARIZONA CORPORATION COMMISSION**

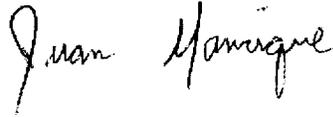
**SOUTHWEST TRANSMISSION COOPERATIVE, INC.
DOCKET NO. E-04100A-09-0250**

**APPLICATION FOR AUTHORITY TO
INCUR DEBT AND ENCUMBER PROPERTY**

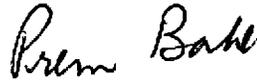
JANUARY 14, 2010

STAFF ACKNOWLEDGMENT

The Staff Report for Cooperative, Docket No. E-04100A-09-0250 is the responsibility of the Staff members listed below. Juan C. Manrique is responsible for the financial analysis. Prem Bahl is responsible for the engineering review.



JUAN C. MANRIQUE
PUBLIC UTILITIES ANALYST I



PREM BAHL
UTILITIES ENGINEER

EXECUTIVE SUMMARY
SOUTHWEST TRANSMISSION COOPERATIVE, INC.
DOCKET NO. E-04100A-09-0250

On May 20, 2009, Southwest Transmission Cooperative, Inc. ("SWTC" or "Cooperative"), filed an application with the Arizona Corporation Commission ("Commission") requesting authorization to secure interim, and subsequently, permanent long-term financing for its 2009-2010 Construction Work Plan ("CWP").

SWTC is a non-profit Class "A" Arizona member-owned electric transmission cooperative operating out of Benson, Arizona. The Cooperative seeks authorization to incur up to \$54,940,000 in short-term debt as interim financing to be replaced by long-term financing not to exceed \$48,072,000 and internally generated funds. A 30-year amortizing loan at approximately 6.75 percent per annum is anticipated for the long-term financing. The purpose of these financings is to fund SWTC's 2009-2010 CWP which includes \$11,700,000 of direct assignment facilities ("DAF"). SWTC receives reimbursement for the principal and interest on the DAF portion of the loan from its Class A members.

The Cooperative also requests that the Commission authorize it to change the specific facilities to be financed in the CWP without the necessity of filing an amended application so long as the total amount financed does not exceed \$54,940,000 for the interim financing or \$48,072,000 for the permanent financing.

As of December 31, 2008, SWTC's capital structure consisted of 3.6 percent short-term debt, 87.7 percent long-term debt, and 8.7 percent equity. Staff calculated a pro forma capital structure reflecting issuance of a \$48,072,000 30-year amortizing loan at 6.75 percent per annum plus issuance of a \$25,565,000 30-year amortizing loan at 4.50 percent which represents the as yet unused portion of a financing authorization previously granted by the Commission. That capital structure is composed of 2.6 percent short-term debt, 92.2 percent long-term debt and 5.2 percent equity. Staff also calculated pro forma times interest earned ("TIER") and debt service coverage ("DSC") ratios, including recognition of the DAF reimbursements, of 1.12 and 1.05, respectively. The DSC results show that cash flow from operations combined with the DAF reimbursements is sufficient to cover all obligations.

Staff concludes that the Cooperative's proposed capital projects are appropriate and that the related cost estimates are reasonable. Staff makes no "used and useful" determination of the proposed improvements nor any conclusions for rate base or ratemaking purposes.

Staff further concludes that issuance of the proposed debt financing for the purposes stated in the application is within SWTC's corporate powers, is compatible with the public interest, is consistent with sound financial practices and will not impair its ability to provide services.

Staff recommends authorization to incur interim debt in an amount not to exceed \$54,940,000 from the National Rural Utilities Cooperative Finance Corporation ("CFC"), and

subsequently, to refinance the interim debt, in part, via amortizing debt in an amount not to exceed \$48,072,000 for a period of 28-to-32 years and at a rate not to exceed 6.75 percent from the Rural Utilities Service/Federal Financing Bank ("RUS/FFB").

Staff further recommends authorizing SWTC to engage in any transaction and to execute any documents necessary to effectuate the authorizations granted.

Staff further recommends that SWTC file with Docket Control, as a compliance item in this matter, copies of the loan documents within 60 days of the execution of any financing transaction authorized herein.

Staff further recommends that the Commission approve the Cooperative's request to change the specific facilities to be financed in the CWP without the necessity of filing an amended application subject to the following conditions: (1) that the total amount financed remains below the financing amount requested herein; (2) that the Cooperative file in this docket a description of the modification(s) and its cost; (3) that the proposed modification(s) to the CWP substantially conform to the purposes of the CWP; and (4) that the cumulative costs do not exceed \$450,000, or if the cumulative costs exceed \$450,000, Staff does not file an objection to the proposed modification(s) within 60 days of SWTC filing the proposed changes.

Staff further recommends that any authorization to incur debt granted in this proceeding terminate on December 31, 2012.

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INTRODUCTION

On May 20, 2009, Southwest Transmission Cooperative, Inc. ("SWTC" or "Cooperative" or "Applicant"), filed an application with the Arizona Corporation Commission ("Commission") requesting authorization to secure interim, and subsequently, permanent long-term financing for its 2009-2010 Construction Work Plan ("CWP").

PUBLIC NOTICE

On July 8, 2009, the Applicant filed an affidavit of publication verifying public notice of its financing application. The Applicant published notice of its financing application in the *Kingman Daily Miner* on June 10, 2009, and the *Arizona Daily Star* on June 15, 2009. The *Kingman Daily Miner* is a daily newspaper of general circulation in the City of Kingman, County of Mohave, Arizona. The *Arizona Daily Star* is a daily newspaper of general circulation in the County of Pima. The affidavit of publication is attached along with a copy of each Notice.

BACKGROUND

SWTC is a non-profit Class "A" Arizona member-owned electric transmission cooperative operating out of Benson, AZ. SWTC was formed in August 2001 as part of the reorganization of AEPCO.

SWTC's current rates were approved in Decision No. 68072, dated August 17, 2005.

On January 19, 2007, Commission Decision No. 69239 authorized SWTC to borrow from the Rural Utilities Service/Federal Financing Bank ("RUS/FFB") an amount not to exceed \$49,575,000 to finance its 2005-2008 Construction Work Plan ("CWP").

On October 16, 2009, SWTC filed an application with the Commission requesting approval of rates to provide approximately \$7.65 million of additional revenue.¹

COMPLIANCE

There are no compliance issues with the Cooperative.

PURPOSE AND DESCRIPTION OF THE REQUESTED FINANCING

The purpose of Cooperative's request for financing is to fund its 2009-2010 CWP.

The Cooperative requests that the Commission authorize it to secure interim financing in an amount not to exceed \$54,940,000 from the National Rural Utilities Cooperative Finance

¹ Docket No. E-04100A-09-0496.

Corporation ("CFC"). Subsequently, the Cooperative seeks to replace the interim financing with long-term financing not to exceed \$48,072,000 from RUS/FFB and internally generated funds.

The Cooperative also requests that the Commission authorize it to change the specific facilities to be financed in the CWP without the necessity of filing an amended application so long as the total amount financed does not exceed \$54,940,000 for the interim financing or \$48,072,000 for the permanent financing.

ENGINEERING ANALYSIS

The Staff Engineering Memorandum is attached. Staff reviewed the Cooperative's proposed capital improvements and found the project costs appropriate and the related cost estimates reasonable. Staff makes no "used and useful" determination of the proposed improvements nor any conclusions for rate base or ratemaking purposes.

FINANCIAL ANALYSIS

Staff's analysis is illustrated on Schedule JCM-1. Column [A] reflects the Cooperative's historical financial information for the year ended December 31, 2008. Column [B] presents pro forma financial information that modifies Column [A] to reflect a 30-year, \$25,565,000 amortizing loan at 4.50 percent which represents the as yet unused portion of a financing authorization previously granted by the Commission. Column [C] is Column [B] modified to reflect a \$54,940,000 one-year loan at 2.36 percent per annum with interest expense but not principal repayment. Column [D] is Column [B] modified to reflect a 30-year, \$48,072,000 amortizing loan at 6.75 percent per annum. Column [E] is Column [D] modified to reflect as revenue \$910,632 (principal and interest on \$11,700,000) of direct assignment facility ("DAF") reimbursements to SWTC from its Class A members for facilities financed by the \$48,072,000 debt.

Times interest earned ratio ("TIER") and Debt service coverage ratio ("DSC")

TIER represents the number of times earnings cover interest expense on short-term and long-term debt. A TIER greater than 1.0 means that operating income is greater than interest expense. A TIER less than 1.0 is not sustainable in the long-term but does not mean that debt obligations cannot be met in the short-term.

DSC represents the number of times internally generated cash will cover required principal and interest payments on short-term and long-term debt. A DSC greater than 1.0 indicates that cash flow from operations is sufficient to cover debt obligations. A DSC less than 1.0 means that debt service obligations cannot be met by cash generated from operations and that another source of funds is needed to avoid default.

Schedule JCM-1, Column [A] shows that for the year ended December 31, 2008, the Cooperative's TIER and DSC were 1.98 and 1.59, respectively. The pro forma TIER and DSC

for the Cooperative under the scenario described above for Column [D] are 1.02 and 0.98, respectively. The pro forma TIER and DSC for the Cooperative under the scenario described above for Column [E] are 1.12 and 1.05, respectively. The pro forma DSC results show that only with recognition of the DAF reimbursements does the Cooperative have sufficient funds to pay all obligations. The pro forma 1.05 DSC is also the minimum DSC that meets the RUS/FFB loan covenants.

Capital Structure

At December 31, 2008, the Cooperative's capital structure consisted of 3.6 percent short-term debt, 87.7 percent long-term debt, and 8.7 percent equity (Schedule JCM-1, Column [A], lines 20-26). Staff calculated a pro forma capital structure reflecting issuance of a \$48,072,000 30-year amortizing loan at 6.75 percent per annum plus issuance of a \$25,565,000 30-year amortizing loan at 4.50 percent, which represents the as yet unused portion of a financing authorization previously granted by the Commission. That capital structure is composed of 2.6 percent short-term debt, 92.2 percent long-term debt and 5.2 percent equity (Schedule JCM-1, Column [D], lines 20-26).

CONCLUSION AND RECOMMENDATIONS

Staff concludes that the Cooperative's proposed capital projects are appropriate and that the related cost estimates are reasonable. Staff makes no "used and useful" determination of the proposed improvements nor any conclusions for rate base or ratemaking purposes.

Staff further concludes that issuance of the proposed debt financing for the purposes stated in the application is within SWTC's corporate powers, is compatible with the public interest, is consistent with sound financial practices and will not impair its ability to provide services.

Staff recommends authorization to incur interim debt in an amount not to exceed \$54,940,000 from the CFC, and subsequently, to refinance the interim debt, in part, via amortizing debt in an amount not to exceed \$48,072,000 for a period of 28-to-32 years and at a rate not to exceed 6.75 percent from the RUS/FFB.

Staff further recommends authorizing SWTC to engage in any transaction and to execute any documents necessary to effectuate the authorizations granted.

Staff further recommends that SWTC file with Docket Control, as a compliance item in this matter, copies of the loan documents within 60 days of the execution of any financing transaction authorized herein.

Staff further recommends that the Commission approve the Cooperative's request to change the specific facilities to be financed in the CWP without the necessity of filing an amended application subject to the following conditions: (1) that the total amount financed

remains below the financing amount requested herein; (2) that the Cooperative file in this docket a description of the modification(s) and its cost; (3) that the proposed modification(s) to the CWP substantially conform to the purposes of the CWP; and (4) that the cumulative costs do not exceed \$450,000, or if the cumulative costs exceed \$450,000, Staff does not file an objection to the proposed modification(s) within 60 days of SWTC filing the proposed changes.

Staff further recommends that any authorization to incur debt granted in this proceeding terminate on December 31, 2012.

FINANCIAL ANALYSIS

	(A) ¹ 12/31/2008	(B) ² Pro forma	(C) ³ Pro forma	(D) ⁴ Pro forma	(E) ⁵ Pro forma
1 Operating Income	\$9,215,707	\$9,215,707	\$9,215,707	\$9,215,707	\$10,126,339
2 Depreciation & Amort.	\$4,347,789	\$4,347,789	\$4,347,789	\$4,347,789	\$4,347,789
3 Income Tax Expense	\$0	\$0	\$0	\$0	\$0
4					
5 Interest Expense	\$4,643,224	\$5,789,277	\$7,085,861	\$9,018,479	\$9,018,479
6 Repayment of Princip.	\$3,874,918	\$4,288,807	\$4,288,807	\$4,801,134	\$4,801,134
7					
8					
9 TIER					
10 [1+3] ÷ [5]	1.98	1.59	1.30	1.02	1.12
11					
12 DSC					
13 [1+2+3] ÷ [5+6]	1.59	1.35	1.19	0.98	1.05
14					
15					
16					
17					
18 Capital Structure					
19 Short-term Debt	\$3,874,918	\$4,288,807	\$59,228,807	\$4,801,134	\$4,801,134
20					
21					
22 Long-term Debt	\$94,572,242	\$119,814,353	\$119,814,353	\$167,374,026	\$167,374,026
23					
24 Common Equity	\$9,398,678	\$9,398,678	\$9,398,678	\$9,398,678	\$9,398,678
25					
26 Total Capital	\$107,845,838	\$133,501,838	\$188,441,838	\$181,573,838	\$181,573,838
27					
28					
29					
30					
31					
32					
33					
34					

¹ Column [A] is based on the Company's Financial Statements for the year ended December 31, 2008.

² Column [B] is Column [A] modified to reflect issuance of \$25,565 million of outstanding debt authorizations amortized for 30 years at 4.50 percent.

³ Column [C] is Column [B] modified to reflect the proposed \$54,940 million short term debt at 2.36 percent with interest expense but no principal repayment.

⁴ Column [D] is Column [B] modified to reflect issuance of the proposed \$48,072 million long term debt financing amortized for 30 years at 6.75 percent.

⁵ Column [E] is Column [D] modified to reflect as revenue \$910,632 of direct assignment facility reimbursements from SWTC Class A members for facilities financed by the \$48,072 million debt.

⁶ Assumes the \$54,940 million short-term debt is refinanced from sources other than operations.

MEMORANDUM

TO: Juan Manrique
Public Utility Analyst II
Utilities Division

FROM: Prem Bahl *Prem*
Electric Utilities Engineer
Utilities Division

DATE: December 1, 2009

SUBJECT: SOUTHWEST TRANSMISSION COOPERATIVE, INC.'S AMENDED
FINANCING APPLICATION DATED MAY 20, 2009; DOCKET NO. E-
04100A-09-0250

On May 20, 2009, the Southwest Transmission Cooperative, Inc. ("SWTC" or "Cooperative") submitted an application ("Application") to the Arizona Corporation Commission ("Commission") for authorization to borrow \$48.072 million from the Rural Utilities Service/Federal Financing Bank. The purpose of this loan is to provide financing for SWTC's 2009-2010 Construction Work Plan ("CWP" or "Plan" or "Work Plan"). This loan amount will enable SWTC to invest in electric utility infrastructure in terms of upgrades and new additions to the existing transmission system to meet the Class A Members' projected transmission needs in a cost effective and reliable manner.

Utility Overview

SWTC was created in 2001 as a result of the re-organization of Arizona Electric Power Cooperative ("AEPSCO") – the old Generation & Transmission Cooperative – into three separate entities: AEPSCO, the generation cooperative; SWTC, the transmission cooperative, and Sierra Southwest ("SSW" or "Sierra"), the staffing and human resources cooperative. SWTC is owned by its six Class A Member Cooperatives, which include Anza Electric, Duncan Valley Electric, Graham County Electric, Mohave Electric, Trico Electric and Sulphur Springs Valley Electric ("SSVEC"), and two Class B Members, AEPSCO and Sierra.

Stationed in Benson, Arizona, SWTC is a non-profit corporation that provides the electric transmission needs of the member distribution cooperatives serving customers in Arizona, as well as small areas of New Mexico and California. SWTC also provides transmission services to three (3) non-member municipalities (Safford, Thatcher and Mesa) as well as Salt River Agricultural Improvement Project and Power District ("SRP") and the Morenci Water & Electric Company ("MW&E").

SWTC owns, operates and maintains a 613 mile high voltage and extra high voltage transmission system that spans all the way from the Mohave Desert surrounding Bullhead City,

southeast to the playa and wetlands area of Cochise County, near Tucson¹. Additionally, SWTC operates more than 30 telecommunication facilities across Arizona. These facilities also provide System Control, phone and data relay services to member cooperatives.

Regional Transmission Planning Forums

SWTC has participated in the regional transmission planning committees, such as Southwest Area Transmission ("SWAT"), Central Arizona Transmission System ("CATS") High Voltage ("HV") and Extra High Voltage ("EHV"). SWTC has also participated in the Commission's Biennial Transmission Assessment ("BTA") proceedings. As ordered in the 5th BTA in Decision No. 70635, SWTC has diligently participated in the collaborative studies performed by the Cochise County Technical study Group comprising Arizona Public Service Company ("APS"), Tucson Electric Company ("TEP"), Western Area Power Administration ("WAPA"), SSVEC, and other stakeholders. The purpose of this group is to conduct long-range technical studies to come up with a plan for providing continuity of service on single line outages in Cochise County.

SWTC has entered into participation agreements on jointly owned EHV transmission projects, constructed and planned for the future by the major utilities such as APS, TEP and SRP. Along with SWTC's independent transmission projects, these participation projects are listed in the Cooperative's 10-Year Plan that is submitted to the Commission by January 31 of every year. The latest such Plan was filed by the Cooperative on January 29, 2009. SWTC also holds stakeholder meetings to share its transmission plans as required by FERC Order No. 890.

2009-2010 Construction Work Plan

Staff has reviewed SWTC's 2009-2010 Work Plan, which provides detailed justification for necessary infrastructure upgrades and new additions, which will enable the Cooperative to fulfill its obligations to deliver electrical power to its member cooperatives in a reliable and efficient manner. The following Table 1 summarizes and reflects capital expenditures associated with specific projects listed in Exhibit B of the Application for the 2009-2010 Work Plan by major category of plant.

¹ These transmission lines constitute 28 miles of 345 kV; 256 miles of 230 kV; 194 miles of 115 kV; and 89 miles of 69 kV. Furthermore, SWTC has 24% share in TEP's Westwing to Vail 192-mile 345 kV line, which equates to 46 miles. These different voltage lines add up to 613 miles.

TABLE NO. 1
SOUTHWEST TRANSMISSION COOPERATIVE, INC.
SUMMARY OF 2009-2010 CONSTRUCTION WORK PLAN (Dollars)

CAPITAL PROJECTS	2009-2010 TOTAL
Transmission Lines	14,091,000
New Substations and Switching Stations	18,501,000
Line and Substation Changes	10,793,000
Communications & SCADA	3,487,000
Lines & Substations Ordinary Replacements	1,200,000
TOTAL	48,072,000

Staff finds the items included in the list of capital projects are appropriate to meet new load growth of the member cooperatives and will enable SWTC to operate and maintain the electric system in a safe and reliable manner. Staff also finds the expenditure amounts associated with these projects are reasonable.

Conclusions

Based on the review of SWTC's 2009-2010 Work Plan, it is Staff's conclusion that the projects included in the Plan are appropriate, and the costs associated with these projects are reasonable. However, this does not imply a specific treatment for rate base or rate making purposes in the Cooperative's future rate filings.

manrique

GALLAGHER & KENNEDY

P.A.

LAW OFFICES

MICHAEL M. GRANT
DIRECT DIAL: (602) 530-8291
E-MAIL: MMG@GKNET.COM

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AZ CORP COMMISSION
DOCKET CONTROL

2575 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016-9225
PHONE: (602) 530-8000
FAX: (602) 530-8500
WWW.GKNET.COM

July 8, 2009

HAND DELIVERED

Docket Control
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

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JUL 08 2009

AZ CORP COMM
Director Utilities

Re: *Southwest Transmission Cooperative, Inc. ("SWTC") Finance Application;*
Docket No. E-04100A-09-0250; Affidavits of Publication

Dear Sir or Madam:

Enclosed are the original and 13 copies of Affidavits of Publication from the Tucson Newspapers and the *Kingman Daily Miner*. They confirm that notice of this matter was published in the *Kingman Daily Miner* on June 10, 2009 and in the *Arizona Daily Star* on June 15, 2009. Your assistance in relation to this matter is appreciated.

Very truly yours,

GALLAGHER & KENNEDY, P.A.



By:

Michael M. Grant

MMG/plp
15169-15/2134806
Enclosures

cc (w/enclosure): Gary Pierson

Original and 13 copies filed with Docket
Control this 8th day of July, 2009.

TUCSON NEWSPAPERS

Tucson, Arizona

STATE OF ARIZONA)
COUNTY OF PIMA)

Debbie Capanear, being first duly sworn deposes and says: that she is the Legal Advertising Representative of TNI PARTNERS, commonly known as TUCSON NEWSPAPERS, a General Partnership organized and existing under the laws of the State of Arizona, and that it prints and publishes the Arizona Daily Star, a daily newspaper printed and published in the City of Tucson, Pima County, State of Arizona, and having a general circulation in said City, County, State and elsewhere, and that the attached

Legal Notice

was printed and published correctly in the entire issue of the said Arizona Daily Star on each of the following dates, to-wit:

JUNE 15, 2009

Debbie Capanear (handwritten signature)

Subscribed and sworn to before me this 23 day of June, 2009

Silvia H Valdez (handwritten signature)
Notary Public



SILVIA H VALDEZ
Notary Public - Arizona
Pima County
Expires 12/15/09

My commission expires _____

TNI AD NO. 6779899

PUBLIC NOTICE
OF AN APPLICATION FOR AN ORDER AUTHORIZING DEBT TO FINANCE ITS CONSTRUCTION WORK PLAN BY THE SOUTHWEST TRANSMISSION COOPERATIVE, INC.
Southwest Transmission Cooperative, Inc. ("SWTC") has filed an Application with the Arizona Corporation Commission for an order authorizing it to borrow an amount not to exceed \$54.949 million for interim financing of its 2009-2010 Construction Work Plan and to secure a permanent long-term loan not to exceed \$48,072 million to replace the interim financing. The application is available for inspection during regular business hours at the offices of the Commission in Phoenix and Tucson, Arizona or on the Commission's website: www.azcc.gov, by using the eDocket link. Intervention in the Commission's proceedings on the application shall be permitted to any person entitled by law to intervene and having a direct substantial interest in this matter. Persons desiring to intervene must file a Motion to Intervene with the Commission which must be served upon SWTC and which, at a minimum, shall contain the following information:
1. The name, address and telephone number of the proposed intervenor and of any person upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding.
3. Whether the proposed intervenor desires a formal evidentiary hearing on the application and the reasons for such a hearing.
4. A statement certifying that a copy of the Motion to Intervene has been mailed to SWTC.
The granting of Motions to Intervene shall be governed by A.C.C. R14-2-105.
Comments may also be made by writing to the Commission in care of Governor's Office, 1201 W. Washington St., Phoenix, Arizona 85001. All correspondence should contain the Docket No. 04100A-001250.
Publish June 15, 2009
Arizona Daily Star