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BEFORE THE ARIZONA CORPORATION

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2010 FEB 17 P 12: 12

FEB 16 2010

ARIZONA CORP COMMISSION
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ARIZONA CORP. COMM
400 W CONGRESS STE 218 TUCSON AZ 85701

IN THE MATTER OF THE APPLICATION
OF SULPHUR SPRINGS VALLEY
ELECTRIC COOPERATIVE, INC FOR A
HEARING TO DETERMINE THE FAIR
MARKET VALUE OF ITS PROPERTY FOR
RATEMAKING PURPOSES, TO FIX A
JUST AND REASONABLE RETURN
THEREON, TO APPROVE RATES
DESIGNED TO DEVELOP SUCH RETURN
AND FOR RELATED APPROVALS.

Docket No. E-01575A-08-0328

IN THE MATTER OF THE APPLICATION
OF SULPHUR SPRINGS VALLEY
ELECTRIC COOPERATIVE, INC FOR A
ORDER INSTITUTING A MORATORIUM
ON THE NEW CONNECTIONS TO THE V-
7 FEEDER LINE SERVING THE
WHETSTONE, RAIN VALLEY, ELGIN,
CANELO, SONOITA, AND PATAGONIA
ARIZONA AREAS.

Docket No. E-01575A-09-0453

**OBJECTION TO NOTICE OF FILING
SUPPLEMENTAL INFORMATION
REGARDING INDEPENDENT MODERATOR
FOR PUBLIC FORUM REPORT**

Pursuant to the January 29, 2010, Procedural Order in the above-captioned consolidated matters, Sulphur Springs Valley Electric Cooperative, Inc. ("SSVEC") filed on February 10, 2010, its Public Forum Report ("Report"). The Report states that "SSVEC will engage an independent moderator to conduct the Public Forums in the Affected Areas and to assist in the open and impartial exchange of ideas." Since the filing of the Report, SSVEC has confirmed Ms. Judith A. Gignac as the independent moderator to conduct the Public Forums in the Affected Areas.

Arizona Corporation Commission
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FEB 17 2010

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1 WE respectfully request an impartial and independent moderator be engaged to
2
3 conduct these Public Forums in the affected areas. While she is a respected business
4 leader, Ms. Gignac cannot be considered either impartial or independent since she is a
5 resident in the SSVEC service area and has been previously involved in utility issues with
6
7 Arizona Corporation Commission. The person chosen to moderate should reside outside the
8
9 SSVEC service area, and should be viewed as independent and capable by both SSVEC
10 and intervenors.

11 Intervenor, Sue Downing, was one of the community members who met with TRC
12 Engineering to assist with drafting the RFP for the feasibility study. We were led to believe
13 that an independent third party, possibly TRC Engineering, would facilitate the Public
14 Forums.
15

16 It would be beneficial to have representatives from Navigant present to answer
17 questions generated by the Feasibility Study. Renewable energy generation would be best
18 presented by a knowledgeable engineering firm. Different interpretations of the Feasibility
19 Study have already occurred in SSVEC generated mailings. This will only cause more
20
21 confusion among cooperative members.
22

23 Decision 71247, filed on September 8, 2009 stated on page 48, line 5: "IT
24 IS FURTHER ORDERED that Sulphur Springs Valley Electric Cooperative, Inc as
25 a matter of compliance, shall docket by October 30, 2009, a report setting forth
26 the manner and dates it shall conduct public forums in the **communities served
27 by the planned 69kV line** and the associated upgrades. This report shall also
28 discuss the topics to be addressed at the public forums and the topics shall
29 include, but not be limited to, addressing how renewable energy generation (in
particular distributed generation) could be incorporated into generation plans to
serve the area covered by the planned 69kV line and associated upgrades."
(Emphasis added.)

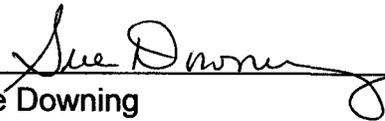
30 As noted in SSVEC's filing, NOTICE OF FILING SUPPLEMENTAL INFORMATION
31
32 REGARDING INDEPENDENT MODERATOR FOR PUBLIC FORUM REPORT, SSVEC has
33 changed the original order to read "...*affected areas*" in place of "*communities served by the*
34
35

1 *planned 69kV line.*” In addition, they have offered to use cooperative funds to provide
2
3 breakfast or lunch to attendees, further increasing the cost of the proposed Reliability Project.

4 WE respectfully submit the following recommendations:

- 5
- 6 1) Have representation from Navigant Consulting to answer questions from
7 cooperative members at the Public Forums regarding the Feasibility Study.
 - 8 2) Have an independent moderator that is mutually agreeable to both the SSVEC
9 and the intervenors, or have ACC provide the moderator.
 - 10 3) Eliminate presentations outside the V-7 service area.
 - 11 4) Have two additional presentations in the V-7 area, in lieu of the meetings
12 scheduled outside of the V-7 service area.
 - 13 5) Discourage SSVEC from using cooperative funds for meals during the Public
14 Forums.
 - 15 6) If SSVEC is going to present “its side of the story” at the public forums, then the
16 Intervenor or their designees should be allowed equal time to present at all
17 Public Forums.
 - 18 7) Make copies of the rate case transcripts available to the public at the libraries in
19 Sonoita and Patagonia.
- 20
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25 Respectfully submitted on this 15th day of February, 2010.

26
27
28 By 
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