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BEFORE THE ARIZONA CORPORATION COMMISSION

- 1 KRISTIN K. MAYES  
Chairman
- 2 GARY PIERCE  
Commissioner
- 3 SANDRA D. KENNEDY  
Commissioner
- 4 PAUL NEWMAN  
Commissioner
- 5 BOB STUMP  
Commissioner

Arizona Corporation Commission

DOCKETED

MAR 17 2010

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8 IN THE MATTER OF DUNCAN VALLEY )  
 9 ELECTRIC COOPERATIVE, INC.'S )  
 10 APPLICATION FOR APPROVAL OF A NET )  
 11 METERING TARIFF )

DOCKET NO. E-01703A-09-0448  
 DECISION NO. 71498  
 ORDER

12 Open Meeting  
 13 March 2 and 3, 2010  
 Phoenix, Arizona

14 BY THE COMMISSION:

FINDINGS OF FACT

- 16 1. Duncan Valley Electric Cooperative, Inc. ("Duncan" or "Co-op") is certificated to  
 17 provide electric service as a public service corporation in the State of Arizona.
- 18 2. On September 18, 2009, Duncan filed an application for approval of a Net Metering  
 19 Tariff, Schedule NM. As stated in R14-2-2307 of the Net Metering Rules ("Rules"), "Each  
 20 Electric Utility shall file, for approval by the Commission, a Net Metering tariff within 120 days  
 21 from the effective date of these rules" and "The Net Metering tariff shall specify standard rates for  
 22 annual purchases of remaining credits from Net Metering Facilities." Duncan's proposed  
 23 Schedule NM is meant to comply with the Rules which became effective May 23, 2009.

24 Proposed Tariff

- 25 3. Duncan's proposed Schedule NM would apply to customers with any type of on-  
 26 site generation using resources allowed by the Net Metering Rules, and would work in conjunction  
 27 with the rate schedule from which the customer currently takes service. The proposed Schedule  
 28 ...

1 NM follows the Net Metering Rules with respect to eligibility, metering, billing, and disposition of  
2 excess customer generation.

3 4. Net Metering allows electric utility consumers to be compensated for generating  
4 their own energy from renewable resources, fuel cells, or Combined Heat and Power (i.e., co-  
5 generation).

6 5. Partial requirements service is necessary for customers such as Net Metering  
7 customers who provide either all or a portion of their own generation. If the self-generation  
8 supplies less than 100 percent of the customer's load, utility generation must be purchased for the  
9 remainder. Even if the customer's generation is sufficient to serve the full load, utility service is  
10 needed as back-up during maintenance or other outage circumstances of the customer's generation

11 6. Duncan's Schedule NM would provide for power sales beyond what the customer's  
12 on-site facilities supply, as well as replacement power if the on-site generation is out of service for  
13 maintenance or due to a forced outage. Charges under Schedule NM would be priced pursuant to  
14 the customer's standard rate schedule otherwise applicable under full requirements service. This  
15 would avoid additional charges such as standby or back-up charges.

16 7. In addition to any charges billed under the standard rate schedule, Duncan proposes  
17 an Administrative Charge of \$10.00 per month to be charged for the additional meter reading,  
18 billing, and software upgrade costs associated with the provision of this service. Duncan must  
19 calculate net metering bills manually, and has provided labor cost data in support of the additional  
20 charge. However, Duncan has not demonstrated that these billing costs are new or incremental to  
21 Net Metering. Therefore, Staff does not recommend the approval of the additional \$10 per month  
22 customer charge.

23 8. Also, as the Rules require, if the customer's generation facility's energy production  
24 exceeds the energy supplied by the Co-op during a billing period, the customer's bill for  
25 subsequent billing periods would be credited for the excess generation. That is, the excess kWh  
26 during the billing period would be used to reduce the kWhs (not kW or kVA demand, or  
27 customer/facilities charges) billed by the Co-op during subsequent billing periods. Customers  
28 ...

1 taking service under a time-of-use rate would receive such credit in subsequent billing periods for  
2 the on-peak, shoulder, or off-peak periods in which the kWhs were generated by the customer.

3 9. The Co-op would install a bi-directional meter at the point of delivery to the  
4 customer. Duncan proposes the incremental cost of the additional metering would be the  
5 responsibility of the customer as an up-front payment. Staff recommends that customers not be  
6 charged these up-front costs because the Co-op has not specified the amount of the metering  
7 charge nor supplied support as required by the Rules at R14-2-2305(A).

8 10. At the end of each twelve months ending December 31 (or for a customer's final  
9 bill upon discontinuance of service), Duncan would credit the customer for the balance of excess  
10 kWhs remaining. The payment for the purchase of these excess kWhs would be at the Co-op's  
11 average annual avoided cost. Duncan proposes that its avoided cost for the billing credit be equal  
12 to the average annual wholesale fuel and energy costs per kWh charged by the Co-op's wholesale  
13 power supplier(s), which has been provided to Staff and currently equals 4.529¢ per kWh. Since  
14 R14-2-2306 (F) requires the avoided costs to be specified on the net metering tariff, Staff  
15 recommends that Duncan specify this avoided cost rate of 4.529¢ per kWh in its tariff.

#### 16 Staff Recommendations

17 11. Staff has recommended that Duncan's Net Metering Tariff, Schedule NM, be  
18 approved by the Commission as amended herein.

19 12. Staff also has recommended that Duncan be ordered to file a revised Net Metering  
20 Tariff, Schedule NM, consistent with this Decision in this case within 15 days of the effective date.

#### 21 CONCLUSIONS OF LAW

22 1. Duncan is an Arizona public service corporation within the meaning of Article XV,  
23 Section 2, of the Arizona Constitution.

24 2. The Commission has jurisdiction over Duncan and over the subject matter of the  
25 application.

26 3. Approval of Schedule NM does not constitute a rate increase as contemplated by  
27 A.R.S. Section 40-250.

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1 4. The Commission, having reviewed the application and Staff's Memorandum dated  
2 February 17, 2010, concludes that Schedule NM should be approved as discussed herein.

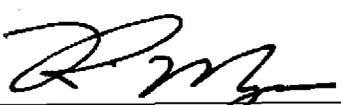
3 ORDER

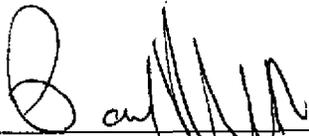
4 IT IS THEREFORE ORDERED that the Duncan Valley Electric Cooperative, Inc. Net  
5 Metering Tariff, Schedule NM, be and hereby is approved as discussed herein.

6 IT IS FURTHER ORDERED that Duncan Valley Electric Cooperative, Inc. should file a  
7 revised tariff consistent with this Decision within 15 days of the effective date of this Decision.

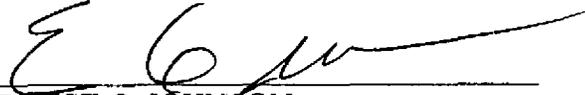
8 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

9  
10 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

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13 CHAIRMAN   
14 COMMISSIONER

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16 COMMISSIONER   
17 COMMISSIONER   
18 COMMISSIONER

19 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,  
20 Executive Director of the Arizona Corporation Commission,  
21 have hereunto, set my hand and caused the official seal of this  
22 Commission to be affixed at the Capitol, in the City of  
23 Phoenix, this 17<sup>th</sup> day of MARCH, 2010.

24   
25 ERNEST G. JOHNSON  
26 EXECUTIVE DIRECTOR

27 DISSENT: \_\_\_\_\_

28 DISSENT: \_\_\_\_\_

SMO:JJP:lm\CH

1 SERVICE LIST FOR: Duncan Valley Electric Cooperative, Inc.  
2 DOCKET NO. E-01703A-09-0448

3 Mr. John Wallace  
4 Grand Canyon State Electric  
5 Cooperative Association, Inc.  
6 120 North 44<sup>th</sup> Street, Suite 100  
7 Phoenix, Arizona 85034

8 Mr. Steven M. Olea  
9 Director, Utilities Division  
10 Arizona Corporation Commission  
11 1200 West Washington Street  
12 Phoenix, Arizona 85007

13 Ms. Janice M. Alward  
14 Chief Counsel, Legal Division  
15 Arizona Corporation Commission  
16 1200 West Washington Street  
17 Phoenix, Arizona 85007  
18  
19  
20  
21  
22  
23  
24  
25  
26  
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