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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

MAY 14 2010

DOCKETED BY *NR*

**IN THE MATTER OF TRICO ELECTRIC
COOPERATIVE, INC'S APPLICATION
FOR APPROVAL OF A NET METERING
TARIFF.**

Docket No. E-01461A-09-0450

DECISION NO. 71694

ORDER

Open Meeting
May 13, 2010
Phoenix, Arizona

BY THE COMMISSION:

Commission Decision No. 71462, entered on January 26, 2010, approved a net metering tariff for Trico Electric Cooperative, Inc. ("Trico"). The tariff applies to customers with on-site generation using resources allowed by the Commission's Net Metering Rules, and works in conjunction with the rate schedule under which the customer takes electric service from Trico.

Intervenor James Arkoosh filed an application for rehearing of Decision No. 71462 on the narrow issue of the alleged failure of the Commission to apply the provisions of Net Metering R14-2-2305 in connection with its approval of a \$3.38 monthly administrative charge. Mr. Arkoosh's application for rehearing was denied by operation of law, and he subsequently filed an appeal with the Arizona Court of Appeals, Division II.

On April 8, 2010, Trico filed a request to reopen Decision No. 71462 pursuant to A.R.S. § 40-252 for further Commission consideration and to provide notice and opportunity for the parties to be heard on the narrow issue raised by Mr. Arkoosh, and to supplement the record with information Trico provided to Staff and Mr. Arkoosh, but not docketed.

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ORDER

The Commission having considered Trico's request to reopen Decision No. 71462 pursuant to A.R.S. § 40-252 for purposes of further Commission consideration of the issue raised by Intervenor James Arkoosh's application for rehearing and for supplementation of the record, the Commission finds, concludes and orders as follows.

IT IS ORDERED: Decision No. 71462 is reopened for further consideration under A.R.S. § 40-252 concerning the issue raised by Mr. Arkoosh's application for rehearing, and the Commission directs the Hearing Division to hold a procedural conference to conduct further proceedings in this matter and issue a Recommended Opinion and Order thereon. The Commission grants Trico's request to supplement the record with the information Trico provided to Mr. Arkoosh and Staff, and is attached to Trico's A.R.S. § 40-252 request.

IT IS FURTHER ORDERED: The Commission's Legal Division shall seek a stay of the Court of Appeals Division II proceedings related to Mr. Arkoosh's appeal pending the Commission's final determination on the reopening of Decision No. 71426 pursuant to A.R.S. § 40-252.

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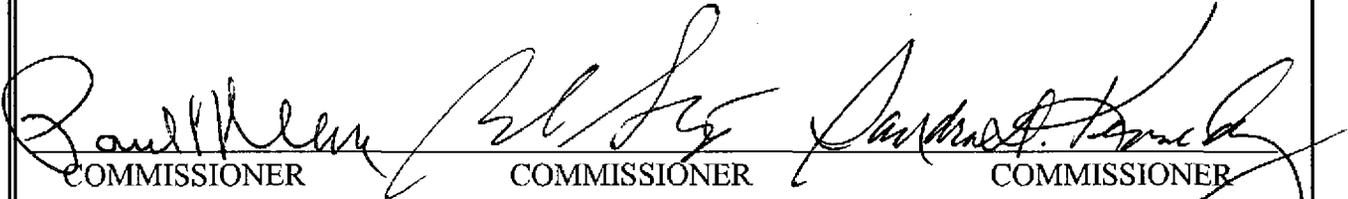
BY ORDER OF THE ARIZONA CORPORATION COMMISSION

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CHAIRMAN

COMMISSIONER

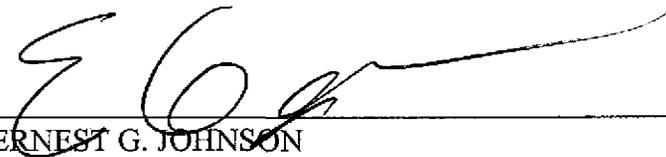


COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON
Executive Director of the Arizona Corporation Commission,
have hereunto, set my hand and caused the official seal of this
Commission to be affixed at the Capital, in the City of
Phoenix, this 14th day of MAY 2010.



ERNEST G. JOHNSON
Executive Director

DISSENT: _____

DISSENT: _____

BY ORDER OF THE ARIZONA CORPORATION COMMISSION

Gary A. Stein

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capital, in the City of Phoenix, this 14th day of MAY 2010.

EGJ

ERNEST G. JOHNSON
Executive Director

DISSENT: _____

DISSENT: _____

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