

INTERVENTION



0000112833

BEFORE THE ARIZONA CORPORATION COMMISSION
AZ CORP COMMISSION

JIM IRVIN
Commission - Chairman
RENZ D. JENNINGS
Commissioner
CARL J. KUNASEK
Commissioner

SEP 22 9 44 AM '98

DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF)
TUCSON ELECTRIC POWER COMPANY FOR) DOCKET NO. E-01933A-98-0471
APPROVAL OF ITS PLAN FOR STRANDED)
COST RECOVERY AND FOR RELATED)
APPROVALS, AUTHORIZATIONS, AND)
WAIVERS)

Arizona Corporation Commission
DOCKETED

SEP 22 1998

MOTION FOR LEAVE TO INTERVENE

ROBERT N. KITTEL
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Regulatory Law Office
Office of the Judge Advocate General
Department of the Army
Litigation Center
JALS-RL, Suite 713
901 N. Stuart Street
Arlington, VA 22203-1837

DOCKETED BY

by

Peter Q. Nyce, Jr.
General Attorney

Dated: September 15, 1998

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DEPARTMENT CONTROL

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APPROVALS, AUTHORIZATIONS, AND)
WAIVERS)

MOTION FOR LEAVE TO INTERVENE

The Secretary of Defense, through duly authorized Counsel and on behalf of the consumer interests of the United States Department of Defense, and all other affected Federal executive Agencies (collectively referred to herein as "DOD"), requests leave to intervene in the above-styled application proceeding of the Tucson Electric Power Company. As grounds for this Motion, DOD/FEA states:

I

That it is duly authorized by law to make and file this Motion.

II

That the name, address and telephone/fax numbers of the person to whom communications in regard to this Motion should be addressed are:

Mr. Peter Q. Nyce, Jr.
General Attorney, Regulatory Law Office
Office of the Judge advocate General
Department of the Army
901 North Stuart Street, Room 713
Arlington, VA 22203-1837
Telephone: (703) 696-1644
Fax: (703) 696-2960

Also we would respectfully request the addition to the
Commission's official service list of:

Dan Neidlinger
Neidlinger & Assoc.
3020 N. 17th Drive
Phoenix, Arizona 85015

III

That the United States maintains certain military
installations and civilian agency activities with the State of
Arizona, a number of which obtain electric service from Tucson
Electric Power Company. On August 21, 1998 the Company filed an
application with the Commission proposing a plan for recovery of
its "stranded" costs and for other approvals, authorizations, and
waivers required to transition to a deregulated marketplace for
electric service. In the instant proceeding this Commission
proposes to evaluate the Company's Plan in the public interest.

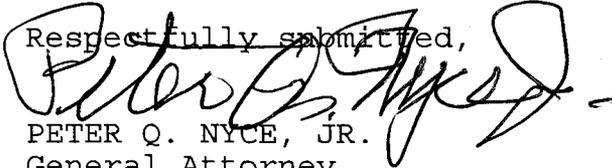
IV

The DOD purchases large quantities of electric service from
the Company in Arizona. Among the major federal facilities
receiving electric service from Tucson Electric Power Company
are: Fort Huachuca and Davis Monthan Air Force Base. DOD is a
customer with a significant economic interest in this proceeding
and would be affected by its outcome.

That the interest of DOD is such that it cannot be adequately protected by any other party. The load factor, characteristics, and rate schedules upon which these facilities buy power make their usage distinct from other large customers. DOD installations have substantial investments in electric utility distribution plant, and a moderate load factor similar to that of a municipal utility. The DOD will present evidence which will be of value to the Commission in its determination of the issues involved in this proceeding. The intervention of the DOD will neither unduly broaden the issues nor unduly delay the proceeding.

WHEREFORE, the DOD, prays for leave to intervene and to be treated as a party hereto with right to have notice of and appear at the taking of testimony, produce and cross-examine witnesses, and be heard in person or by counsel, upon brief and at oral argument, if oral argument is granted.

Respectfully submitted,



PETER Q. NYCE, JR.
General Attorney
Regulatory Law Office
Office of the Judge Advocate General
Department of the Army
Litigation Center JALS-RL, Suite 713
901 North Stuart Street
Arlington, VA 22203-1837

For

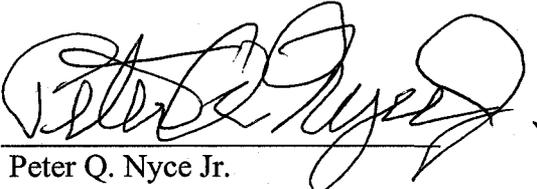
THE DEPARTMENT OF DEFENSE

Dated: Arlington, Virginia this
fifteenth day of September, 1998

CERTIFICATE OF SERVICE

I hereby certify that I have on this date served a copy of the foregoing document, together with this Certificate of Service, upon the following parties, by causing a copy thereof to be delivered by Federal Express Service, or mailed, First Class postage prepaid, and properly addressed to each such party.

Executed September 15, 1998, At Arlington, VA


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