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ARIZONA CORPORATION COMMISSION  
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10 Attorneys for Freeport-McMoRan Copper & Gold Inc.  
 11 and Arizonans for Electric Choice and Competition

**BEFORE THE ARIZONA CORPORATION COMMISSION**

12 IN THE MATTER OF THE APPLICATION  
 13 OF TUCSON ELECTRIC POWER  
 14 COMPANY FOR APPROVAL OF ITS  
 15 REQUEST FOR ADDITIONAL FUNDING  
 16 FOR ITS NON-RESIDENTIAL EXISTING  
 17 FACILITIES PROGRAM.

DOCKET No. E-01933A-07-0401

**COMMENTS OF FREEPORT-MCMORAN COPPER & GOLD INC. AND ARIZONANS FOR ELECTRIC CHOICE AND COMPETITION**

18 Freeport-McMoRan Copper & Gold, Inc. and Arizonans for Electric Choice and  
 19 Competition (hereafter collectively "AECC") submits these Comments in the above-  
 20 captioned matter. AECC supports the recommendations of Commission Staff to limit the  
 21 amount spent on an Implementation Contractor ("IC") to no more than twenty-one percent  
 22 (21%) of Tucson Electric Power Company's ("TEP") overall Non-Residential Existing  
 23 Facilities Program budget. As customers who help fund this program, it is disconcerting  
 24 for AECC to learn that TEP's implementation costs for energy efficiency programs range  
 25 anywhere between 15% and 85%, or greater.<sup>1</sup> Ironically, it appears that some of TEP's  
 26 energy efficiency programs are not "administratively" efficient and cost more to  
 implement than what is being spent on the energy efficient products themselves.

TEP argues that the company should be given flexibility to manage a budget to

<sup>1</sup> TEP Exceptions at 2. AECC believes that the Commission should consider placing a cap on the implementation costs for all such programs so that the funds are put to efficient use.

1 achieve established goals in a "cost effective" manner. However, AECC submits that if  
2 any program cannot be implemented at the 21% cap of total costs recommended by Staff,  
3 that program cannot be cost effective.

4 RESPECTFULLY SUBMITTED this 23<sup>rd</sup> day of July, 2010.

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7  
8 By:   
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11 ORIGINAL and 13 copies filed  
12 this 23<sup>rd</sup> day of July, 2010 with:

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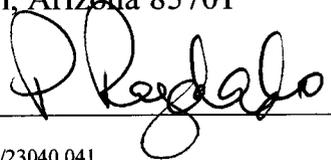
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