

ORIGINAL

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Chairman Kristin Mayes;  
Commissioners Pierce, Stump, Kennedy and Newman  
Arizona Corporation Commission  
1200 W. Washington St., 2<sup>nd</sup> floor  
Phoenix, Arizona 85007

AZ CORP COMMISSION  
DOCKET CONTROL

June 16, 2010

Arizona Corporation Commission  
DOCKETED

JUN 21 2010

Re: SolarCity SSA Adjudication: Docket: E-20690A-09-0346

DOCKETED BY *MM*

Dear Chairwoman Mayes and Commissioners;

I am writing you today concerning the regulatory status of providers of Solar Service Agreements ("SSAs"). As a Minister, former school board member, and community & rights leader, I am keenly aware of the impacts your decision in this case will have on the vulnerable and marginalized in our community. As you know, SSAs allow urban schools and non-profits to finance the installation of solar systems with no up-front expenses and to begin cost savings immediately. SSAs are bringing these groups into the solar age by preserving existing funding; an all too important goal in these tough economic times. SSAs allow public schools and non-profit entities that serve the people of the inner-city an opportunity to afford to "go green", like everyone else. Currently there is simply no other viable option for these entities to adopt solar. A decision to regulate SSA providers in this context would severely hamper if not eliminate their ability to save money via installation of solar systems. Such regulation would enable the holding-back of the inner-city from accessing the fruits of new, clean, and cost-saving technology. This would be a perverse result that runs directly contrary to the principles of environmental justice, fairness; technological equity between communities, and public interest.

Should the Commission decide to regulate SSAs it would mean that for-profit commercial entities would have an unfair advantage over non-profits. For-profit entities can take advantage of leasing and may have the income and tax incentives to purchase systems directly. Both of these can be accomplished without any regulation by the Commission. Why then does it make sense to regulate only SSAs? Regulation of SSAs would translate to higher costs for non-profits thereby edging them out of the market place. The people of the inner-city and the organizations that serve them would be relegated to a lower cast of "pay to play" constituents. The unfair rules of an unfair game where hard working people just can't win. It is patently unfair to place this burden on the very segments of our community that need solar the most. In the midst of our national and state economic crisis, non-profits, churches and schools need every penny they can find, save, and stretch to continue operating. To place disproportionate regulatory burdens and costs on these entities and the people of the inner-city offends the basic notions of fairness and protecting the public interest. The power of the Sun should be harnessed and made accessible and affordable to all. Does the Sun not shine equally on the rich and the poor? It is the Commission's duty in fact to ensure that these underrepresented segments of our community are afforded the same protection of public interest as their for-profit counterparts. Regulating SSAs would produce the exact opposite result and send a terrible and uninspiring message to the inner-city community that says, in essence: "If you can't afford the full-price of technology upfront then green is not a lifestyle choice for you people."

In addition to the notions of equity and justice, I urge you to consider the impact that SSA regulation would have on the local job market, particularly for underserved, urban, and minority communities. The solar industry is growing in Arizona and is putting people back to work; especially the skilled laborers that were hit hardest by the housing bust. Regulatory burdens and additional costs on the industry would accomplish nothing more than slowing this job growth. These jobs are desperately needed as they provide a unique employment opportunity for laborers that currently have very few if any options. Limiting the local job pool is not the answer. Creating unfair barriers for new companies looking to invest in Arizona and her people is not the answer. Especially as our state works to counter-act economic boycotts and protect/heal our public image. Unemployment is at a crushing high-point. U.S. Department of Labor statistics show that Blacks have a rate of unemployment that is more than double the national figures. Latinos are a close second.

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Arizona's unemployment ratios mirror these numbers. We must do all we can to get Arizona's talented labor pool working again. Solar can help do that, but only if we resist the notion that regulation is the only way.

The Commission heretofore has an outstanding record of protecting the public interest when and where it is most needed and has shown outstanding leadership thus far to encourage solar energy in AZ. I applaud the Commission for these laudable efforts and strongly encourage you to continue down this path by making decisions that are truly in the public's interest. After thoughtful consideration of these issues, I am sincerely hopeful and optimistic that you will afford the people of the inner-city and the non-profits that serve them, equal opportunities to adopt solar by refusing to place unnecessary regulatory burdens on SSA providers. Thank you.

In Progress,

**Rev. Jarrett B. Maupin, II, *President***  
Inner-City Democracy Empowerment Agency