

ORIGINAL



0000116039

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2010 AUG 31 P 2: 20
AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
SUNEDISON ORIGATION1, LLC FOR
SPECIAL CONTRACT APPROVAL OF A SOLAR
SERVICES AGREEMENT.

DOCKET NO. E-20746A-10-0241

PROCEDURAL ORDER

BY THE COMMISSION:

On May 15, 2010, SunEdison Origation1, LLC ("SunEdison") filed with the Arizona Corporation Commission ("Commission") an application for Special Contract Approval for a Solar Services Agreement ("SSA").

On July 12, 2010, the Commission issued Decision No. 71795 which addressed a previous application by SolarCity Corporation ("SolarCity") seeking an adjudication that it was not acting as a public service corporation when it provides solar services to Arizona schools, governments, and non-profit entities by means of an SSA. In Decision No. 71795, the Commission found that when SolarCity provides services to schools, governments, or other non-profit entities pursuant to an SSA, it is not acting as a public service corporation.

On August 20, 2010, the Commission's Utilities Division ("Staff") filed a memorandum in this docket stating that the SunEdison SSA includes the installation of solar facilities at a customer's premises through an SSA similar to SolarCity's SSA that was the subject of Decision No. 71795. In light of the Commission's findings in Decision No. 71795, Staff recommends that the Commission issue an order closing this docket.

...
...
...
...

Arizona Corporation Commission

DOCKETED

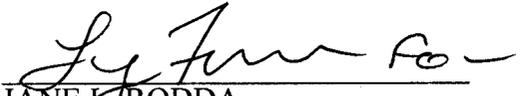
AUG 31 2010

DOCKETED BY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS THEREFORE ORDERED that SunEdison shall file in this docket a statement averring whether it agrees with Staff's assessment that the contract at issue in this docket is substantially similar to the SSA at issue in Decision No. 71795, and with Staff's recommendation to close the docket.

Dated this 31st day of August, 2010.

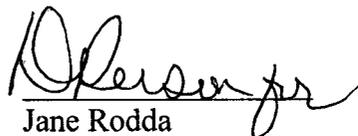

JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed this 31st day of August 2010 to:

Court Rich
M. Ryan Hurley
Rose Law Group PC
6613 N. Scottsdale Road, Suite 200
Scottsdale, AZ 85250
Attorneys for EAH

Janice Alward, Chief Counsel
LEGAL DIVISION
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Steve Olea, Director
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

By: 
Jane Rodda