

ORIGINAL
Tucson Electric Power Company



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October 8, 2010

Chairman Kristin K. Mayes
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

Re: Docket No. E-01933A-09-0340

OCT 8 2010

RECEIVED
2010 OCT -8 P 3:44
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Dear Chairman Mayes:



Tucson Electric Power Company ("TEP" or "Company") is in receipt of a copy of the letter sent to you by Mr. Rick Westfall dated September 17, 2010. Mr. Westfall's letter is an unfortunate attempt to have the Arizona Corporation Commission ("ACC") insert itself in the middle of his dispute with the City of Tucson and erroneously portrays TEP's communications with Mr. Westfall.

Mr. Westfall is not challenging TEP's Commission-approved solar purchase power agreement with Fotowatio Renewable Ventures ("FRV") (Decision No. 71640 (April 14, 2010)). Nor is he complaining about service provided by TEP or an alleged violation of law by TEP. In fact, Mr. Westfall is not a TEP customer. Mr. Westfall simply does not want the City of Tucson to utilize its property, and he has hired legal representation to aid him in this effort. Apparently, part of Mr. Westfall's legal strategy is to attempt to lure TEP and consequently the ACC into his dispute with the City of Tucson.

Regarding the Company's communication with Mr. Westfall, his letter is incomplete. Mr. Westfall has retained an attorney, and as such, all communication must now be made through the lawyer. Prior to his decision to retain counsel, however, Mr. Westfall was in direct communication with several representatives of TEP, including Joseph Salkowski, Director of Corporate Communications, and Carmine Tilghman, TEP's Director of Renewable Resources, who spoke with Mr. Westfall in February and March (before the April Open Meeting), and again in May of 2010, and then personally met with him on two more occasions.

In his letter, Mr. Westfall references his complaint filed with the ACC. TEP does not believe that Mr. Westfall's complaint has merit or is subject to the Commission's jurisdiction. Mr. Westfall's real complaint is against the City of Tucson.

Please do not hesitate to contact me if you have questions or would like more information.

Sincerely,

A handwritten signature in black ink, appearing to be 'PJ Dion', with a long horizontal flourish extending to the right.

Philip J. Dion

Cc: Commissioner Kennedy
Commissioner Newman
Commissioner Pierce
Commissioner Stump
Steve Olea
Elijah Abinah
Docket Control
Rick Westfall