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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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Arizona Corporation Commission

DOCKETED

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

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

OCT 12 2010

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
SOLAR POWER PARTNERS, INC. REGARDING  
REQUEST FOR SPECIAL CONTRACT  
APPROVAL FOR A PHOTOVOLTAIC  
QUALIFIED MANAGEMENT AGREEMENT.

DOCKET NO. E-20730A-10-0088

PROCEDURAL ORDER

**BY THE COMMISSION:**

On March 11, 2010, Solar Power Partners, Inc. ("SPP") filed with the Arizona Corporation Commission ("Commission") an application for Approval of a Qualified Management Agreement ("QMA").

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 a Solar Services Agreement ("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 SPP QMA is similar to the SolarCity SSA. In light of the Commission's findings in Decision No. 71795, Staff recommends that the Commission issue an order closing this docket.

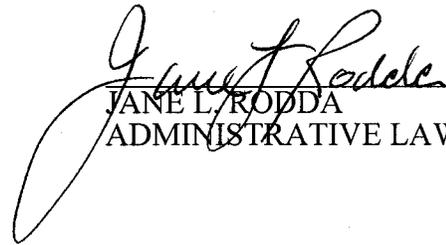
By Procedural Order dated August 30, 2010, SPP was directed to file in this docket a statement averring whether it agrees with Staff's assessment that the contract at issue in this docket is substantially similar to the SSA at issue in Decision No. 71795, and with Staff's recommendation to close the docket.

1 On September 14, 2010, SPP filed a response to the August 30, 2010, Procedural Order  
2 stating that it agrees with Staff's opinion that Commission Decision No. 71795 controls the  
3 disposition of the instant docket and that this docket should be closed.

4 Good cause has been shown for administrative closure of this docket.

5 IT IS THEREFORE ORDERED that **Docket No. E-20730A-10-0088** is hereby  
6 **administratively closed.**

7 Dated this 8<sup>th</sup> day of October, 2010.

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11   
12 JANE L. RODDA  
ADMINISTRATIVE LAW JUDGE

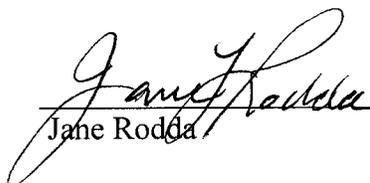
13 Copies of the foregoing mailed  
14 this 8<sup>th</sup> day of October, 2010 to:

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By:

  
Jane Rodda