



Arizona Corporation Commission

**DOCKETED**

ONA CORPORATION COMMISSION

JAN 13 1997

RECEIVED  
AZ COOP COMMISSION

JAN 13 10 50 AM '97

CARL J. KUNASEK  
CHAIRMAN  
JAMES M. IRVIN  
COMMISSIONER  
RENZ D. JENNINGS  
COMMISSIONER

DOCKETED BY

DOCUMENT CONTROL

IN THE MATTER OF THE COMPETITION IN ) DOCKET NO. U-0000-94-165  
THE PROVISION OF ELECTRIC SERVICES )  
THROUGHOUT THE STATE OF ARIZONA. ) **INTERNATIONAL BROTHERHOOD**  
 ) **OF ELECTRICAL WORKERS #1116**  
 ) **EXCEPTION TO PROPOSED ORDER**  
 ) **ADOPTING RULES ON ELECTRIC**  
 ) **INDUSTRY RESTRUCTURING**

International Brotherhood of Electrical Workers ("I.B.E.W." or "Union"), pursuant to A.R.S. 40-253 and A.C.C. R14-3-111, hereby moves the Arizona Corporation Commission ('Commission') to:

1. Reconsider Decision No. 59943 (December 26, 1996) ("Decision") which adopted Proposed Rules on Retail Electric Competition (R14-2-1601, et seq.) ("Rules"); and
2. Stay the enforcement of the Rules pending their amendment (or repeal) by the Commission or the Courts, because the Rules will otherwise be effective notwithstanding a reconsideration or appeal.

This requested relief is in the best interest of the public and is fair and equitable to all concerned parties, consumers, utilities and the Commission--because it provides a meaningful opportunity to review the Rules, the manner in which they were adopted and their impact, without unnecessarily subjecting the state of Arizona to their unwanted consequences. Further, in order to achieve the Commission's stated objective of moving the electric industry to competition, this relief will open a window of opportunity for the parties to jointly develop the legal and technical details that are lacking in the regulatory "framework" that is now in place. Such a process, which has been successfully conducted in other states, (but was not followed in Arizona), will protect the welfare of the consumer, the financial stability of the "Affected Utilities" and meet the Commission's stated objective of bringing retail competition to Arizona in a well thought out and carefully constructed manner.

The International Brotherhood of Electrical Workers ("I.B.E.W.") believes the Commission will have one more opportunity to examine the following areas of concern with the Rules, prior to their enforcement:

a) **System Reliability:** To ensure that all citizens of Arizona (and the Southwest) continue to receive safe, reliable and economic electric service.

b) **Economic Impact to Arizona:** To determine and if possible, minimize the cost of potential lost revenues and taxes to the state.

c) **Stranded Cost:** To recognize changes to the "Regulatory Compact" and related financial consequences to the "Affected Utilities" and their employees.

d) **Level Playing Field:** To thoroughly study and implement retail competition in a fair and equitable manner, whereby all parties abide by the same rules.

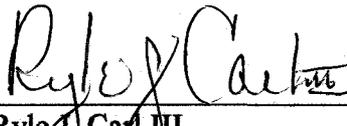
As previously stated in our "EXCEPTION TO PROPOSED ORDER ADOPTING RULES ON ELECTRIC INDUSTRY RESTRUCTURING"- the International Brotherhood Electrical Workers represents 8,000 workers in the State of Arizona. I.B.E.W. members are employed in physical, technical, clerical and administrative positions, many bearing front line responsibility for the safe and reliable operation and maintenance of electric generating units, transmission lines, networks, and electrical distribution systems throughout the State. In addition, 3,000 I.B.E.W. members are employed by Contractors providing construction and maintenance services to the industry.

All 8,000 members and their families are consumers dependent on clean, safe, affordable and reliable electrical power in every aspect of their work and personal lives, and they have a vital interest in these proceedings. As employees and consumers, we are genuinely concerned with, and actively involved in State regulatory activity, as the electric power industry undergoes various shifts, changing from a highly regulated and relatively stable industry, to a more diversified and competitive one. Our members understand that change is inevitable, and neither they nor the I.B.E.W. oppose the introduction of necessary efficiencies, to a more competitive environment.

Therefore, we are asking that the Commission consider our, "EXCEPTIONS TO THE RULES AS ADOPTED ON ELECTRIC INDUSTRY RESTRUCTURING", and direct that all of the critical and vital issues be resolved between all of the interested parties, lest we regret the devastating outcome of this decision for the State of Arizona.

RESPECTFULLY SUBMITTED this 10th day of January, 1997.

INTERNATIONAL BROTHERHOOD  
OF ELECTRICAL WORKERS #1116

By:   
Ryle J. Carl III  
Business Manager/Financial Secretary  
750 S. Tucson Blvd.  
Tucson, Arizona 85716

**Original and ten copies of the foregoing  
filed this 10th day of January, 1997, with:**

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

**Copies of the foregoing mailed  
this 10th day of January, 1997, to:**

Carl J. Kunasek, Chairman  
James M. Irvin, Commissioner  
Renz D. Jennings, Commission  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Director of Utilities  
Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Jerry L. Rudibaugh  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Chief Counsel  
Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

By   
Elvira V. M. Acosta  
Office Manager