

EXCEPTION



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Attorneys for Trico Electric Cooperative, Inc.

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

APR 12 1999

JAMES M. IRVIN
Chairman
TONY WEST
Commissioner
CARL J. KUNASEK
Commissioner

DOCKETED BY

IN THE MATTER OF COMPETITION
IN THE PROVISION OF ELECTRIC
SERVICES THROUGHOUT THE STATE
OF ARIZONA

Docket No. RE-00000C-94-0165

**ADDITIONAL EXCEPTIONS OF TRICO,
SULPHUR SPRINGS VALLEY, GRAHAM
COUNTY AND DUNCAN VALLEY
ELECTRIC COOPERATIVES TO
MARCH 22, 1999 RECOMMENDATIONS
OF HEARING DIVISION**

Trico, Sulphur Springs Valley, Graham County and Duncan Valley Electric Cooperatives submit these Additional Exceptions to the March 22, 1999 Recommendations of the Hearing Division pertaining to the Amended Retail Electric Competition Rules:

As a result of Citizens' Exceptions, the Hearing Division has added a new Section R14-2-1609.B to its Recommendations as follows:

"Utility Distribution Companies shall retain the obligation to assure that adequate transmission import capability is available to meet the load requirements of all distribution customers within their service areas."

These Distribution Cooperatives strongly object to this additional provision. It is ambiguous and as literally construed, extremely unfair to UDCs. If the phrase "transmission

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1 import capability" mean that the UDC shall make certain that its distribution system is capable of
2 receiving Transmission Service, then the proposed subsection should be clarified to state this
3 unambiguously. On the other hand, if that phrase is meant to require UDCs to make
4 arrangements for Transmission Service to all of its distribution customers within its service area,
5 it is extremely unfair. Such arrangement should be limited to Standard Offer Service and not
6 Competitive Services. If the UDC's distribution customer elects to receive Competitive Services
7 from an ESP, the ESP and not the UDC should arrange the Transmission Service.

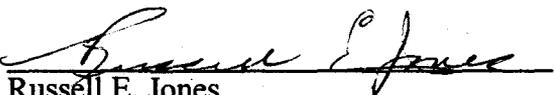
8 Because of these problems, these Cooperatives urge that the Recommendations delete
9 R14-2-1609.B as provided in Exhibit A attached.

10 RESPECTFULLY SUBMITTED, this 9th day of April, 1999.

11 HITCHCOCK, HICKS & CONLOGUE
12 Christopher Hitchcock
13 Attorneys for Sulphur Springs Valley Electric
14 Cooperative, Inc.

15 GALLAGHER & KENNEDY
16 Michael M. Grant
17 Attorneys for Graham County Electric
18 Cooperative, Inc. and Duncan Valley Electric
19 Cooperative, Inc.

20 O'CONNOR CAVANAGH MOLLOY JONES

21 By: 
22 Russell E. Jones
23 Attorneys for Trico Electric Cooperative, Inc.

24 Original and 10 copies of the foregoing
25 document filed this 12th day of April,
26 1999, with

27 Docket Control
28 Arizona Corporation Commission
29 1200 W. Washington
30 Phoenix, Arizona 85007

31 Copy of the foregoing document mailed this
32 9th day of April, 1999, to:

33 Distribution list for
34 Docket No. RE-00000C-94-0165

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EXHIBIT "A"

~~"R14-2-1609.B~~

~~Utility Distribution Companies shall retain the obligation to assure that adequate transmission import capability is available to meet the load requirements of all distribution customers within their service areas."~~