



0000121434

ORIGINAL

RECEIVED
AZ CORP COMMISSION

MAY 4 3 47 PM '99

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

BEFORE THE ARIZONA CORPORATION COMMISSION

JIM IRVIN
COMMISSIONER-CHAIRMAN
TONY WEST
COMMISSIONER
CARL J. KUNASEK
COMMISSIONER

DOCUMENT CONTROL

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

DOCKET NO. RE-00000C-94-0165
ATTORNEY GENERAL'S AND
RUCO'S **AMENDED** FILING
OF SUMMARY OF
REMAINING ISSUES IN
ELECTRIC INDUSTRY
RESTRUCTURING

Pursuant to the procedural order issued in the above-captioned docket on April 21, 1999, various stakeholders submitted lists of comments to the Attorney General on April 28, 1999. Following receipt of those lists, the Attorney General conducted a stakeholder meeting on April 29, 1999 to review the issues and to seek recommended procedural means to resolve remaining issues. Stakeholders' comments on the recommended procedures were submitted to the Attorney General. The Attorney General and RUCO have compiled a summary of issues identified as remaining to be resolved in the matter of electric industry restructuring and of the procedural vehicle various stakeholders believe is necessary to resolve those issues.

The summary that follows represents the best efforts to compile and consolidate issues and procedural recommendations. There may be errors due to the volume and differing formats of the stakeholder submittals. Stakeholders may wish to clarify their views and make further comments at the procedural conference set for May 5, 1999 at 1:30 p.m.

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

Arizona Corporation Commission

DOCKETED

MAY 0 4 1999

DOCKETED BY

1 **SUMMARY**

2 IDENTIFIED ISSUE	3 STAKEHOLDERS IDENTIFYING THE ISSUE AS NECESSARY	4 PROPOSED PROCEDURE
5 Stranded Costs: 6 Quantification	7 AECC ¹ , APS, 8 AG, Sempra, 9 RUCO, AEP 10 CO, Assn. of Elec. Dist. 11 [A key issue to all 12 stakeholders]	13 Existing hearing 14 schedule (AECC, AG, 15 AEP 16 CO, Assn. of Elec. 17 Dist., RUCO, Staff); 18 all stranded costs issues 19 in stranded costs hearings 20 (Staff); 6/14/99 hearings (APS)
21 Stranded Costs: 22 Methodology	23 All stakeholders	24 Existing hearing 25 schedule (AECC, AG, 26 Sempra, AEP 27 CO, RUCO, 28 Staff); Rulemaking (ACAA); 6/14/99 hearing (APS)
29 Stranded Costs: 30 Assure that methods do 31 not disadvantage residential 32 consumers, especially 33 those held captive on 34 standard offer:	35 ACAA, AG	36 Existing hearings (AG); 37 rulemaking with policy 38 implementation to 39 each utility in 40 unbundled/stranded 41 cost hearings for that utility 42 (ACAA)
43 Stranded Costs: 44 Economic feasibility	45 AECC, AG	46 Existing hearing schedule 47 (AECC, AG); 6/14/99 hearing 48 (APS)
49 Stranded Costs: 50 Fairness	51 AECC, ACAA, 52 AG	53 Existing hearing schedule 54 (AECC, ACAA, AG); plus 55 rulemaking (ACAA)
56 Stranded Costs: 57 No shifting burden 58 of uneconomic decisions 59 from Utility to Consumer	60 AECC, AG 61 [Non-Issue: APS]	62 Existing hearing schedule 63 (AECC, AG); 64 Rulemaking (ACAA)

65

66 _____
67 ¹Cyprus Climax Metals Company, ASARCO Incorporated, Enron Corp. and Arizonans for
68 Choice and Competition are all referred to as "AECC".

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

<u>IDENTIFIED ISSUE</u>	<u>STAKEHOLDERS IDENTIFYING THE ISSUES AS NECESSARY</u>	<u>PROPOSED PROCEDURE</u>
Stranded Costs: Timing	APS, AG, Sempra, AECC	Existing hearing schedule (AG, AECC, Sempra, ACAA); 6/14/99 hearing (APS)
Postponement of competition until stranded costs resolved	TEP [Commission no authority or handled elsewhere, AECC. Non-Issue: APS, Assn.] of Elec. Dist.]	Rulemaking (ACAA); rulemaking + hearings (ACAA)
Stranded Costs: Recovery of "restructuring" "implementation" and "metering" costs	APS, TEP, Citizens, AG	Existing hearings (AG); 6/14/99 hearing (APS); rulemaking (Assn. of Elec. Dist.)
Stranded Costs: True-ups for CTC	TEP, Sempra	Existing hearing schedule (TEP, Sempra, Assn. of Elec. Dist., AEPCO); rulemaking (AECC); 6/14/99 hearing (APS)
Unbundled Tariffs: Fully unbundle and separate charges for distribution, transmission metering, billing, ancillary services	AECC, AG, APS	Existing hearing schedule; (AECC, AG, ACAA, Assn. of Elec. Dist., AEPCO); all unbundled issues in U.T. hearings (Staff); 6/14/99 hearing (APS)
Unbundled Tariffs: Fix must-run costs	AECC, AG, APS	Existing hearing schedule (AECC, AG, Assn. of Elec. Dist., AEPCO); rulemaking and hearings (ACAA); 6/14/99 hearing to extent not FERC (APS)
Unbundled Tariffs: Unbundled charges no greater than standard offer rates	AECC, AG	Existing hearing schedule (AECC, AG, Assn. of Elec. Dist., AEPCO); rulemaking + hearings (ACAA); 6/14/99 hearing (APS)

.....

1	<u>IDENTIFIED ISSUE</u>	<u>STAKEHOLDERS IDENTIFYING THE ISSUES AS NECESSARY</u>	<u>PROPOSED PROCEDURE</u>
3	Unbundled Tariffs: Identify CTC separately in customer bills	AECC, AG	Existing hearing schedule (AECC, AG, Assn. of Elec. Dist, AEPCO); rulemaking & hearings (ACAA); 6/14/99 hearing (APS)
6	Unbundled Tariffs: Resolve systems benefits charges	TEP, AG	Existing hearing schedule (TEP, AECC, AG, Assn. of Elec. Dist., AEPCO); 6/14/99 hearing (APS)
9	Assure discounts/price benefits are shared equitably with residential consumers, competitive or standard offer.	ACAA	Rulemaking with policy implementation to each utility in unbundled/stranded (ACAA) cost hearings for that utility
14	Provide for consumer education:	APS, TEP, ACAA, RUCO, AG	Rulemaking (Staff, ACAA, AG); ACC-RUCO Inter- governmental Agreement (IGA)
17	Ensure information about resource mix is readily available to residential consumers without acquisition barriers:	ACAA	Rulemaking with policy implementation to each unbundled/stranded cost hearings for that utility (ACAA)
22	Make aggregation simple and universally available	ACAA, AG	Rulemaking (ACAA, AG)
24	Systems Benefits Charges: Identify what is included set procedure for adjusting up or down	APS	
26	Must be rational and AISA should determine which units are must-runs and propose a tariff to FERC	RUCO	AISA, FERC (RUCO)

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

<u>IDENTIFIED ISSUE</u>	<u>STAKEHOLDERS IDENTIFYING THE ISSUES AS NECESSARY</u>	<u>PROPOSED PROCEDURE</u>
Systems Benefits Charges: Add needed details and policies about SBC:	ACAA	Rulemaking with policy implementation to each utility in unbundled/stranded cost hearings for that utility utility (ACAA)
Solar Portfolio: Reinstate and resolve the solar portfolio	ACAA	Rulemaking with policy implementation to each utility in unbundled/stranded cost hearings for that utility (ACAA)
Resolution of Market Prices:	TEP	Existing hearings (TEP, AECC): 6/14/99 hearing (APS)
Ensure the Standard Offer provides both equitable benefits and protections to residential consumers:	ACAA, AG	Hearings + rulemaking (AG)
Resolve Transmission Revenue Requirements:	TEP, AG	Existing hearings (Assn. of Elec. Dist, AEPCO); FERC (Sempra); existing hearings (AECC); FERC (APS)
Recovery of administrative and general expense:	TEP	Existing hearings (TEP) 6/14/99 hearing (APS)
Handling of new distribution fees:	TEP	Existing hearings (TEP, AECC); 6/14/99 hearing (APS)
Approval of fees for services for Direct Access protocols:	APS	Existing hearings (APS, AEPCO, Assn. of Elec. Dist.)

.....

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

<u>IDENTIFIED ISSUE</u>	<u>STAKEHOLDERS IDENTIFYING THE ISSUES AS NECESSARY</u>	<u>PROPOSED PROCEDURE</u>
Set rates for Must-Runs:	APS, TEP, RUCO	FERC (Sempra, RUCO); unbundled tariff hearings (Staff, APS, Assn. of Elec. Dist) to extent not FERC
Resolve standard offer generation costs:	APS	6/14/99 hearing (APS); other proceeding (AECC, AEPCO)
Provide for recovery of divestiture costs, if required:	APS, Sempra (positive & negative)	Unbundled tariff hearings (Sempra); rate case (Staff); existing hearings (AECC); 6/14/99 hearing (APS), rulemaking after hearings (Assn. of Elec. Dist.)
Transmission: Access: Retail Customer Protocols	AECC	Existing hearings (AECC); rulemaking (Sempra, Assn. of Elec. Dist.); all transmission issues rules or FERC (Staff); FERC (APS); AISA, Desert Star and FERC must address transmission issues (RUCO); all transmission issues = mix of ACC/FERC jurisdiction (AEPCO)
Transmission: Single set of statewide direct access protocols:	TEP, AG	FERC (APS, TEP); rulemaking (Sempra, Assn. of Elec. Dist) existing hearings (AECC, AG); FERC/ACC proceedings (AEPCO)
Transmission: Provide for Open Access:	Navopache, Mohave, AG	Existing schedule for rulemaking comments; FERC & rulemaking (Sempra, Assn. of Elec. Dist); existing hearings (AG, AECC); FERC (APS); FERC/ACC proceedings (AEPCO)

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

<u>IDENTIFIED ISSUE</u>	<u>STAKEHOLDERS IDENTIFYING THE ISSUES AS NECESSARY</u>	<u>PROPOSED PROCEDURE</u>
Transmission: Make OATT Tariffs same as Unbundled:	AECC	FERC, Rulemaking (Sempra); rulemaking (Assn. of Elec. Dist.); FERC/ACC proceedings (AEPCO)
Transmission: Resolve question of jurisdiction re transmission - ACC or FERC:	AEPCO ² , Ass'n of Electric Districts	Rulemaking (Sempra); AISA, Desert Star & FERC must be involved (RUCO); rulemaking after hearings (Assn. of Elec. Dist.); FERC/ACC proceedings (AEPCO)
Transmission: Resolve rules re: cost/revenue issues:	Navopache, Mohave [Commission no no authority or handled elsewhere AECC]	Existing schedule for (Navopache, Mohave) rulemaking comments; rulemaking (Sempra, Assn. of Elec. Dist.); FERC/ACC proceedings (AEPCO)
Transmission: Restate Commission support of ISO/ISA:	APS, TEP	Existing hearings (TEP, AECC); FERC (APS); rulemaking after hearings (Assn. of Elec. Dist.); FERC/ACC proceedings
Transmission: Scheduling Coordinator agreements:	TEP	Existing hearings (TEP, AECC); rulemaking (Assn. of Elec. Dist.); FERC/ACC Proceedings (AEPCO)

² "AEPCO" refers to AEPCO, Duncan and Graham.

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

<u>IDENTIFIED ISSUE</u>	<u>STAKEHOLDERS IDENTIFYING THE ISSUES AS NECESSARY</u>	<u>PROPOSED PROCEDURE</u>
Transmission: Import capability, clarify Rule 1609B	TRICO	Rulemaking & FERC (Sempra, Assn. of Elec. Dist.); existing hearings (AECC); FERC (APS); FERC/ACC Proceedings (AEPSCO)
CC&Ns: Grant as soon as possible:	AECC [Non-Issue: APS]	All CC&N issues in individual CC&N proceedings (Staff, AECC); current dockets handle (AEPSCO); no additional action necessary (Assn. of Elec. Dist.)
CC&Ns: require ESPs to offer service to residential consumers as a condition to doing business	ACAA	CC&N proceedings (ACAA)
Code of Conduct/ Affiliate Rules: Each utility file at same time as unbundled rates:	AECC, AG	Rulemaking, 'tariff' (Sempra); rulemaking (Staff, AEPSCO, Assn. of Elec. Dist., AG, APS); existing hearings (AECC, AG)
Code of Conduct/ Affiliate Rules: Commission re-examine	AEPSCO, Citizens	Rulemaking (Sempra, Staff, AEPSCO, Assn. of Elec. Dist., AG); existing APS hearings (AECC, AG)
Code of Conduct/ Affiliate Rules: Allowance of overlapping officers/directors:	Citizens	Rulemaking (Sempra, Staff, APS, AEPSCO, Assn. of Elec. Dist., AG); existing hearings (AECC, AG)
Code of Conduct/ Affiliate Rules: Clarification		

	<u>IDENTIFIED ISSUE</u>	<u>STAKEHOLDERS IDENTIFYING THE ISSUES AS NECESSARY</u>	<u>PROPOSED PROCEDURE</u>
1			
2			
3			
4	of protocols of UDCs' joint activities with retail affiliates:	Citizens	Rulemaking (Citizens, Sempra, Staff, APS AEPCO, Assn. of Elec. Dist., AG); existing hearings (AECC, AG)
5			
6			
7			
8	Competition Rules: Rules not final, adopt a set of interim, fixed rules:	AECC, Ass'n of Electric Districts, AG	Rulemaking (Staff, AECC, AG, Assn. of Elec. Dist.)
9			
10			
11	Competition Rules: Adopt "lawful" rules	APS [Commission no authority: AECC] or handled elsewhere	Rulemaking & court (Sempra); court (AG, Assn. of Elec. Dist.)
12			
13			
14	Competition Rules: Set a clear method to adopt rules	AECC, Ass'n of Electric Districts, AG	Rulemaking (AECC, Sempra, AG, Assn. of Elec. Dist.)
15			
16			
17	Amend rules or issue orders to allow increased participation by residential consumers in competition	ACAA, AG	Rulemaking (ACAA, AG)
18			
19			
20	Market power: If no divestiture, commission must evaluate market power	AECC, AG [The Commission should consider the issue, but is without authority to determine issues of antitrust law - AG. Non-Issue as rules require - APS]	Stranded cost hearings (Sempra, AG); separate proceeding if necessary in the future (Staff, AECC); rulemaking after hearings (Assn. of Elec. Dist.)
21			
22			
23			
24			
25	Market power: No Commission rulings regarding market power without fully hearing evidence of existence, vertical and horizontal	AG	Stranded cost hearings (AG)
26			
27			
28			

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

**STAKEHOLDERS
IDENTIFYING THE
ISSUES AS NECESSARY**

**PROPOSED
PROCEDURE**

IDENTIFIED ISSUE

Market power:
No antitrust immunity, no
"state action" findings

AG

Stranded cost hearings
(AG)

Structure of restructured
Industry: Fix value of divested/
transferred assets:

AECC
[Non-Issue, will
"fall out of stranded
costs" - APS]

Existing hearings (AECC);
rulemaking (Staff, ACAA),
hearing (ACAA)

Structure of restructured
Industry:
Stakeholders each file
"vision" of restructured
industry:

TEP
[No authority or
handled elsewhere
AECC]

Rulemaking (Staff, ACAA)
(APS)

Structure of restructured
Industry:
Commission determine
structure under competition

TEP
[No authority or
handled elsewhere
AECC]

Separate hearing (TEP);
rulemaking (APS)

Structure of restructured
Industry: Status and
review of "asset swaps"

Ass'n of
Electric Districts

Existing hearings (ACAA);
other proceeding (AECC),
(APS)

Structure of restructured
Industry: Commission
approval of corporate
restructuring plans

APS

Existing hearings (AECC,
AG); rulemaking (ACAA);
6/14/99 hearing (APS)

Structure of restructured
Industry: Commission review
of effect of restructure on
rates:

Ass'n of
Electric Districts

Existing hearings (AECC);
rulemaking; existing
hearing (ACAA)

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

**STAKEHOLDERS
IDENTIFYING THE
ISSUES AS NECESSARY**

**PROPOSED
PROCEDURE**

IDENTIFIED ISSUE

Commission approval of
ESP service acquisition
agreements:

APS, TEP

Rulemaking (Sempra, Staff);
Utilities Director approves
outside formal process (APS);
separate proceeding (AEPCO);
rulemaking after hearings
(Assn. of Elec. Dist.)

Resolution of §40-252 issues:

APS
[No authority or handled
elsewhere -AECC]

6/14/99 hearing (APS);
rulemaking after hearings
(Assn. of Elec. Dist.);
stranded cost and CC&N
(Staff); existing hearings (AG)

Resolve issues of
Commission's authority
to deregulate: Changes
needed to Arizona
Constitution

APS, AEPCO
[No authority or handled
elsewhere - AECC]

Non ACC process (Staff,
(APS); lawsuits, legislature
(Assn. of Elec. Dist., AEPCO)

Resolve issues of
Commission's authority
to deregulate: Challenges
to Commission jurisdiction

AEPCO
[No authority or handled
elsewhere - AECC]

Non ACC process (Staff,
APS); separate proceedings
or rule (AEPCO); court (Assn.
of Elec. Dist.)

Title 40 "regulatory reform":
Changes to title 40 or
exemptions to conform re:
deregulated service

APS
[No authority or handled
elsewhere - AECC]

Non-ACC process (Staff, AG);
legislature (Assn. of Elec.
Dist.); separate proceeding
(AEPCO)

Title 40 "regulatory reform":

AEPCO
[No authority or handled
elsewhere - AECC]

Non-ACC process (Staff, AG);
legislature (Assn. of Elec.
Dist.); separate proceeding
(AEPCO)

Title 40 "regulatory reform":
No antitrust immunity

AG

Non-ACC process (AG)

.....

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

**STAKEHOLDERS
IDENTIFYING THE
ISSUES AS NECESSARY**

**PROPOSED
PROCEDURE**

IDENTIFIED ISSUE

Clarify labeling requirements under Rule 1617:

APS, TEP
[No authority or handled elsewhere - AECC]

Rulemaking (ACAA); Assn. of Elec. Dist.; possibly current rules (AEPSCO)

Clarify definition of "provider of last resort" re: customers possibly without power

Navopache, Mohave, ACAA
[No authority or handled elsewhere - AECC]

Existing schedule for Rulemaking comments, (Mohave, Navopache, Staff, APS, AEPSCO, Assn. of Elec. Dist.)

Billing issues:
Some co-ops cannot unbundle because of the way they buy power:

Navopache, Mohave, ACAA

Existing schedule for Rulemaking comments (Navopache, Mohave); unbundled tariff proceedings (Staff); rulemaking (ACAA, APS); other proceeding (AECC)

Rate reviews:
Commission should require rate reviews at appropriate times to capture changes in circumstances:

Staff
[Non-Issue - APS]

Resolve after unbundled tariffs approved, set procedure in the unbundled tariff hearings (Staff); Rulemaking (Sempra, ACAA), existing hearings and other proceedings (ACAA); other proceedings (AECC, AEPSCO, Assn. of Elec. Dist.)

Commission should establish rates for non-competitive services separately from unbundled rates:

RUCO

Other commission proceedings (RUCO)

.....

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

**STAKEHOLDERS
IDENTIFYING THE
ISSUES AS NECESSARY**

**PROPOSED
PROCEDURE**

IDENTIFIED ISSUE

Evaluate impact of restructuring on third-party contracts:

Ass'n of Electric Districts, ACAA

Stranded cost hearings (Sempra); existing hearings (AECC); rulemaking (ACAA, APS, Assn. of Elec. Dist.

Resolution of Customer service Issues: Dispute resolution, credit requirements consolidated billing, level of control MSP, MRSP, UDC, anti-slamming responsibility, EDI formats, UDC access to load data, UDC obligation/discretion to provide services requested by ESP, UDC entitlement to provide customer billing, metering meter reading:

TEP, ACAA

Rulemaking (Sempra, Staff, APS, ACAA, AEPCO - "possibly"); other proceedings (AECC); or many issues in ESP contracts (APS); UDC access to load data in existing hearings (AECC); UDC discretion a non-issue or handled elsewhere (AECC); service acquisition agreements & rulemaking after hearings (Assn. of Elec. Dist.)

ESP formats:

Sempra

Rulemaking (Sempra)

Ensure adequate and reasonable policies regarding deposits, payment plans, and extreme weather shut-offs for residential and low-income consumers

ACAA

Rulemaking (ACAA)

Clarify audit requirements:

Citizens [Non-Issue or handled elsewhere - AECC)

Rulemaking (Sempra, Staff, APS, Assn. of Elec. Dist.) or in ESP contracts (APS)

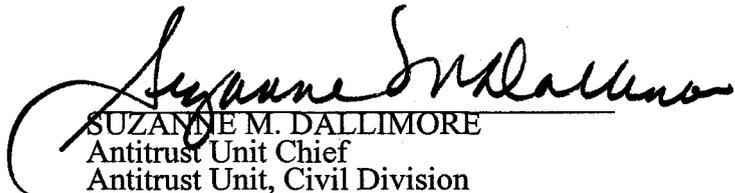
....
....
....

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

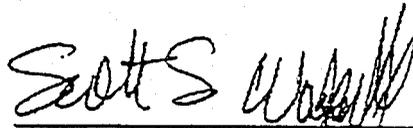
<u>IDENTIFIED ISSUE</u>	<u>STAKEHOLDERS IDENTIFYING THE ISSUES AS NECESSARY</u>	<u>PROPOSED PROCEDURE</u>
Review commission authority to require UDCs to pay to support Commission, RUCO:	Citizens [Non-Issue Commission has authority - APS] [Non-Issue or handled elsewhere - AECC]	Rulemaking (Sempra, ACAA), non-ACC process (Staff, ACAA); rulemaking after hearings
Procedures:	APS	All issues require Commission intervention, either Rulemaking or hearing
Procedures:	APS	Adopt procedures for resolution of all by November 1, 1999
Procedures:	TEP	Have separate "conferences" regarding technical issues, statements of policy, followed by hearings on the technical issues and statements of policy.
Procedures:	Staff	Commission's actions in adopting amended Stranded Costs order and proposed rule amendments resolve, or set in motion the process for resolving the vast majority of remaining issues.

RESPECTFULLY SUBMITTED this 4th day of May, 1999.

JANET NAPOLITANO
ATTORNEY GENERAL



SUZANNE M. DALLIMORE
Antitrust Unit Chief
Antitrust Unit, Civil Division
Telephone: (602) 542-7713
Facsimile: (602) 542-4801
e-mail: suzanne.dallimore@pop3.ag.state.az.us



SCOTT S. WAKEFIELD

Chief Counsel

Residential Utility Consumer Office

Telephone: (602) 279-5659

Facsimile: (602) 285-0350

SERVICE LIST for RE-00000C-94-0165:

An original and ten copies of the foregoing were filed with Docket Control at the Arizona Corporation Commission this 4rd day of May, 1999.

COPIES of the foregoing were hand-delivered this 4th day of May, 1999 to:

Jerry Rudibaugh, Chief Hearing Officer
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

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

Ray T. Williamson
Acting Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

COPIES of the foregoing were mailed this 4th day of May, 1999 to:

Barbara Klemstine
ARIZONA PUBLIC SERVICE CO.
Law Department, Station 9909
P.O. Box 53999
Phoenix, AZ 85072-3999

Sam Defraw (Attn. Code 16R)
Rate Intervention Division
NAVAL FACILITIES ENGINEERING COMMAND
200 Stovall Street, Room 10S12
Alexandria, VA 22332-2300

Greg Patterson
RUCO
2828 N. Central Avenue
Suite 1200
Phoenix, AZ 85004

Rick Lavis
ARIZONA COTTON GROWERS ASSOCIATION
4139 East Broadway Road
Phoenix, AZ 85040

Michael A. Curtis
MARTINEZ & CURTIS, P.C.
2712 North 7th Street
Phoenix, AZ 85006
Attorneys for Arizona Municipal Power Users' Association,
Mohave Electric Cooperative, Inc. & Navopache Electric Cooperative, Inc.

Steve Brittle
DON'T WASTE ARIZONA, INC.
6205 South 12th Street
Phoenix, AZ 85040

Karen Glennon
19037 N. 44th Avenue
Glendale, AZ 85308

Walter W. Meek
ARIZONA UTILITY INVESTORS ASSOCIATION
2100 North Central Avenue, Suite 210
Phoenix, AZ 85004

COLUMBUS ELECTRIC COOPERATIVE, INC.
P.O. Box 631
Deming, New Mexico 88031

Rick Gilliam
LAND AND WATER FUND OF THE ROCKIES
2260 Baseline Road, Suite 200
Boulder, CO 80302

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE
P.O. Box 1087
Grants, New Mexico 87020

Terry Frothun
ARIZONA STATE AFL-CIO
5818 N. 7th Street, Suite 200
Phoenix, AZ 85014-5811

DIXIE ESCALANTE RURAL
ELECTRIC ASSOCIATION
CR Box 95
Beryl, UT 84714

GARKANE POWER ASSOCIATION, INC.
P.O. Box 790
Richfield, UT 84701

Norman J. Furuta
DEPARTMENT OF THE NAVY
900 Commodore Drive, (Code 09C)
San Bruno, CA 94066-5006

ARIZONA DEPARTMENT OF COMMERCE
ENERGY OFFICE
3800 North Central Avenue, 12th Floor
Phoenix, AZ 85012

Barbara S. Bush
COALITION FOR RESPONSIBLE ENERGY EDUCATION
315 West Riviera Drive
Tempe, AZ 85252

Betty Pruitt
ARIZONA COMMUNITY ACTION ASSOCIATION
2627 N. 3rd Street, Suite 2
Phoenix, AZ 85004

Bradley S. Carroll
TUCSON ELECTRIC POWER CO.
Legal Dept. - DB203
220 West 6th Street
P.O. Box 711
Tucson, AZ 85702-0711

Barbara Sherman
UTILITY WATCHDOG COMMITTEE
ARIZONA CONSUMERS COUNCIL
120 E. McKellips Road
Tempe, AZ 85281-1118

A. B. Baardson
NORDIC POWER
4281 N. Summerset
Tucson, AZ 85715

Larry McGraw
USDA-RUS
6266 Weeping Willow
Rio Rancho, New Mexico 87124

Jim Driscoll
ARIZONA CITIZEN ACTION
2340 S. Mill, Suite 237
Tempe, AZ 85282

Jessica Youle
PAB300
SALT RIVER PROJECT
P.O. Box 52025
Phoenix, AZ 85072-2025

William Baker
ELECTRICAL DISTRICT NO. 6
P. O. Box 16450
Phoenix, AZ 85011

Joe Eichelberger
MAGMA COPPER COMPANY
P.O. Box 37
Superior, AZ 85273

John Jay List
General Counsel
NATIONAL RURAL UTILITIES
COOPERATIVE FINANCE CORP.
2201 Cooperative Way
Herndon, VA 21071

Craig Marks
CITIZENS UTILITIES COMPANY
2901 N. Central Avenue, Suite 1660
Phoenix, AZ 85012-2736

Barry Huddleston
DESTEC ENERGY
P.O. Box 4411
Houston, TX 77210-4411

Wallace Tillman
Chief Counsel
NATIONAL RURAL ELECTRIC
COOPERATIVE ASSOCIATION
4301 Wilson Blvd.
Arlington, VA 22203-1860

Steve Montgomery
JOHNSON CONTROLS
2032 West 4th Street
Tempe, AZ 85281

Robert Julian
PPG
1500 Merrell Lane
Belgrade, Montana 59714

Terry Ross
CENTER FOR ENERGY AND
ECONOMIC DEVELOPMENT
P.O. Box 288
Franktown, CO 80116-0288

C. Webb Crockett
FENNEMORE CRAIG
3003 N. Central Avenue, Suite 2600
Phoenix, AZ 85012-2913
Attorneys for ASARCO, Cyprus Climax
Metals, Enron and AAEC

Knox Kimberly
STREICH LANG
2 North Central Avenue
Phoenix, AZ 85004

Clara Peterson
AARP
HC 31, Box 977
Happy Jack, AZ 86024

Robert S. Lynch
340 E. Palm Lane, Suite 140
Phoenix, AZ 85004-4529
Attorney for Arizona Transmission Dependent Utility
Group & Irrigation Electrical Districts Assn.

Michael Block
Goldwater Institute
201 North Central
Concourse Level
Phoenix, AZ 85073

Stan Barnes
Copper State Consulting Group
100 W. Washington Street, Suite 1415
Phoenix, AZ 85003

Vinnie Hunt
CITY OF TUCSON
Department of Operations
4004 S. Park Avenue, Building #2
Tucson, AZ 85714

Carl Robert Aron
Executive Vice President and COO
Itron, Inc.
2818 N. Sullivan Road
Spokane, WA 99216

Steve Wheeler
Thomas M. Mumaw
SNELL & WILMER
One Arizona Center
400 E. Van Buren Street
Phoenix, AZ 85004-0001
Attorneys for APS

Douglas C. Nelson
DOUGLAS C. NELSON, P.C.
7000 N. 16th Street, Suite 120-307
Phoenix, AZ 85020-5547
Attorney for Calpine Power Services

Elizabeth S. Firkins
INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS, L.U. #1116
750 S. Tucson Blvd.
Tucson, AZ 85716-5698

Lawrence V. Robertson, Jr.
MUNGER CHADWICK, PLC
333 North Wilmot, Suite 300
Tucson, AZ 85711-2634
Attorney for PG&E Energy Services Corp.

Carl Dabelstein
2211 E. Edna Avenue
Phoenix, AZ 85022

Albert Sterman
ARIZONA CONSUMERS COUNCIL
2849 East 8th Street
Tucson, AZ 85716

Roderick G. McDougall
City Attorney
Attn: Jesse Sears, Assistant Chief Counsel
200 W. Washington Street, Suite 1300
Phoenix, AZ 85003-1611

Michael Grant
GALLAGHER & KENNEDY
2600 N. Central Avenue
Phoenix, AZ 85004
Attorneys for AEPCO, Graham County
Electric Cooperative and Duncan Valley Electric Cooperative

Russell E. Jones
O'CONNOR CAVANAGH MOLLY JONES
33 N. Stone Avenue, Suite 2100
P. O. Box 2268
Tucson, AZ 85702
Attorneys for Trico Electric Cooperative, Inc.

Suzanne M. Dallimore
Antitrust Unit Chief
Attorney General's Office
Department of Law Building
1275 West Washington Street
Phoenix, AZ 85007

Christopher Hitchcock
Hitchcock Hicks & Conlogue
P.O. Box 87
Bisbee, AZ 85603-0087
Attorneys for Sulphur Springs Valley
Electric Cooperative, Inc.

Lex Smith
Michael Patten
BROWN & BAIN, PC
2901 N. Central Avenue
Phoenix, AZ 85001-0400
Attorneys for Morenci Water and Electric Company,
Ajo Improvement Company and Phelps Dodge Corporation

Myron L. Scott
1628 E. Southern Avenue, No. 9-328
Tempe, AZ 85282-2179
Attorneys for Arizona for a Better Environment

Andrew Bettwy
Debra Jacobson
SOUTHWEST GAS CORPORATION
5241 Spring Mountain Road
Las Vegas, NV 89102

Billie Dean
AVIDD
P.O. Box 97
Marana, AZ 85652-0987

Barbara R. Goldberg
OFFICE OF THE CITY ATTORNEY
3939 Civic Center Blvd.
Scottsdale, AZ 85251

Chris King, Vice President
CellNet Data Systems, Inc.
12667 Alcosta Blvd., Suite 350
San Ramon, CA 94583

Peter Glaser
DOHERTY RUMBLE & BUTLER, PA
1401 New York Avenue, NW, Suite 1100
Washington, DC 20005

Raymond B. Wuslich
WINSTON & STRAWN
1400 L Street, NW
Washington, DC 20005

Bradford A. Borman
PacifiCorp
201 South Main, Suite 2000
Salt Lake City, UT 84140

Steven C. Gross
PORTER SIMON
40200 Truckee Airport Road
Truckee, CA 96161

Timothy M. Hogan
Arizona Center for Law
in the Public Interest
202 E. McDowell Road, Suite 153
Phoenix, AZ 85004

Donald R. Allen
John P. Coyle
DUNCAN & ALLEN
1575 Eye Street, NW, Suite 300
Washington, DC 20005

Marcia Weeks
18970 N. 116th Lane
Surprise, AZ 85374

Ward Camp
Thaser Advance Metering Services
Alvarado Square
Mail Stop SIM
Albuquerque, New Mexico 87158

John T. Travers
William H. Nau
272 Market Square, Suite 2724
Lake Forest, Illinois 60045

Thane T. Twiggs
Idaho Power Company
P.O. Box 70
Boise, ID 83707

Timothy Michael Toy
WINTHROP, STIMSON, PUTNAM & ROBERTS
One Battery Park Plaza
New York, New York 10004-1490

Libby Brydolf
CALIFORNIA ENERGY MARKETS NEWSLETTER
2419 Bancroft Street
San Diego, CA 92104

Stephen L. Teichler
Stephanie A. Conaghan
DUANE, MORRIS & HECKSCHER, LLP
1667 K Street, NW, Suite 700
Washington, DC 20006-1608

Paul W. Taylor
R. W. Beck
2201 E. Camelback Road, Suite 115-B
Phoenix, AZ 85016-3433

Raymond S. Heyman
Darlene M. Wauro
ROSHKA HEYMAN & DEWULF, PLC
Two Arizona Center
400 North 5th Street, Suite 1000
Phoenix, AZ 85004
Attorneys for New Energy Ventures, LLC

James P. Barlett
5333 N. 7th Street, Suite B-215
Phoenix, AZ 85014
Attorney for Arizona Power Authority

Jay I. Moyes
MEYER HENDRICKS BIVENS & MOYES, PA
3003 N. Central Avenue, Suite 1200
P.O. Box 2199
Phoenix, AZ 85001-2199

Kathy T. Puckett
SHELL OIL COMPANY
200 N. Dairy Ashford
Houston, TX 77079

Andrew N. Chau
SHELL ENERGY SERVICES CO., LLC
1221 Lamar, Suite 1000
Houston, TX 77010

Peter Q. Nyce, Jr.
Department of the Army
JALS-RS, Suite 713
901 N. Stuart Street
Arlington, VA 22203-1837

Arizona Reporting Service, Inc.
2627 N. Third Street, Suite Three
Phoenix, AZ 85004-1104

Dated this 4th day of May, 1999.

A handwritten signature in cursive script, appearing to read "Peter Q. Nyce, Jr.", is written over a horizontal line.