

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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GARY PIERCE, Chairman
BOB STUMP
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BRENDA BURNS

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IN THE MATTER OF THE
APPLICATION OF MOHAVE ELECTRIC
COOPERATIVE, INC. FOR APPROVAL
OF A WASTE-TO-ENERGY FACILITY
AS A PILOT PROGRAM UNDER THE
RENEWABLE ENERGY RULES OR, IN
THE ALTERNATIVE, FOR A LIMITED
WAIVER.

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I. INTRODUCTION

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On November 5, 2010, Mohave Electric Cooperative, Inc. ("MEC") filed an application with the Commission seeking an order that either recognizes energy produced at a "Waste To Energy" ("WTE") facility as a pilot program or granting a waiver to the renewable energy standard to recognize the energy produced at the WTE facility as an "Eligible Renewable Energy Resource."

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On May 10, 2011, Staff transmitted its memorandum containing recommendations regarding the application and submitted a proposed order for the Commission's consideration. Staff's recommendation rejects MEC's request to treat WTE as a pilot program pursuant to A.A.C. R14-2-1802(D) but recommends that the Commission grant a waiver pursuant to A.A.C. R14-2-1816(A) to the limited extent necessary to recognize energy produced at the WTE facility as an eligible renewable energy resource as defined

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AZ CORP COMMISSION
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Arizona Corporation Commission

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JUN 13 2011

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DOCKET NO. E-01750A-10-0453

**THE SOLAR ALLIANCE'S
COMMENTS ON RECOMMENDED
ORDER**

1 by A.A.C. R14-2-1802(A).

2 **II. WTE IS NOT AN ELIGIBLE RESOURCE UNDER THE REST RULES,**
3 **AND MEC FAILS TO DEMONSTRATE WHY IT CANNOT MEET ITS**
4 **OBLIGATIONS UNDER THE RULES USING EXISTING ELIGIBLE**
5 **RESOURCES.**

6 The Solar Alliance requests that the Commission reject MEC's request for a
7 waiver to include WTE in its compliance of the RES targets for the simple reason that the
8 Commission has already determined that WTE is not an eligible resource under the
9 Renewable Energy Standard and Tariff ("REST") rules. After extensive review and
10 debate prior to the adoption of the REST rules, WTE was rejected as an eligible resource.
11 MEC has substantial and cost-effective eligible renewable resources in its territory, such
12 as abundant solar resources, and it has not demonstrated that it cannot meet its obligations
13 under the REST Rules with these existing eligible resources. Neither MEC nor Staff
14 provide any new data, factors, or findings that would establish the "good cause" required
15 to justify such a waiver.

16 The Solar Alliance requests that the Commission reject MEC's application for a
17 waiver to recognize energy produced by a WTE facility producing renewable energy
18 credits to satisfy MEC's requirements established by the REST Rules. This waiver
19 untenably, and without merit, seeks to redefine what constitutes an "eligible renewable
20 energy resource" and contravenes the Commission's intent to maximize the State's
21 renewable energy resources for the myriad energy, environmental and jobs benefits they
22 offer Arizona.

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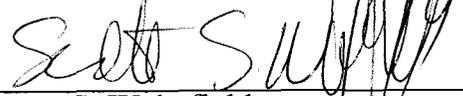
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Dated this 13th day of June, 2011.

RIDENOUR, HIENTON, & LEWIS, P.L.L.C.

By 
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ORIGINAL and 13 copies filed
this 13th day of June, 2011 with:

Docket Control
Arizona Corporation Commission
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COPY of the foregoing HAND-
DELIVERED this 13th day of
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