

OPEN MEETING ITEM



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COMMISSIONERS
GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

ARIZONA CORPORATION COMMISSION RECEIVED

2011 JUL 22 P 1:37

DATE: JULY 22, 2011

DOCKET NO.: E-01933A-10-0213

AZ CORP COMMISSION
DOCKET CONTROL

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Jane Rodda. The recommendation has been filed in the form of an Opinion and Order on:

TUCSON ELECTRIC POWER COMPANY
(EXTENSION OF TIME DEADLINE CONTAINED
IN DECISION NO. 71856)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

AUGUST 1, 2011

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

AUGUST 16, 2011 and AUGUST 17, 2011

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

JUL 22 2011

DOCKETED BY

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 GARY PIERCE - Chairman
4 BOB STUMP
5 SANDRA D. KENNEDY
6 PAUL NEWMAN
7 BRENDA BURNS

8 IN THE MATTER OF THE APPLICATION OF
9 TUCSON ELECTRIC POWER COMPANY FOR
10 APPROVAL OF PURCHASED POWER
11 AGREEMENTS RELATED TO ITS RENEWABLE
12 ENERGY STANDARD AND TARIFF
13 IMPLEMENTATION PLAN.

DOCKET NO. E-01933A-10-0213

DECISION NO. _____

ORDER EXTENDING TIME
DEADLINE CONTAINED IN
DECISION NO. 71856

14 Open Meeting
15 August 16 and 17, 2011
16 Phoenix, Arizona

17 **BY THE COMMISSION:**

18 * * * * *

19 Having considered the entire record herein and being fully advised in the premises, the
20 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

21 **FINDINGS OF FACT**

22 1. In Decision No. 71856 (September 1, 2010), the Commission approved the application
23 of Tucson Electric Power Company ("TEP" or "Company") for approval of purchased power
24 agreements related to its Renewable Energy Standard and Tariff ("REST") Implementation Plan.

25 2. As part of Decision No. 71856, the Commission ordered:

26 Tucson Electric Power Company shall conduct a Request for Proposal for
27 at least 50 Megawatts of wind power from an in-state wind generator, and
28 file its results with the Commission for its review and consideration as part
of Tucson Electric Power Company's 2012 REST Implementation Plan.

29 3. Based on the 2012 REST Implementation Plan due date, TEP was originally granted
30 until July 1, 2011, to meet the above compliance requirement.

31 4. By letter dated April 18, 2011, TEP requested an extension of time to provide the
32 Request for Proposal results required by Decision No. 71856 until September 15, 2011. The

1 Company stated that it needed additional time to “develop the RFP process between TEP and the
2 independent observer, Accion Group, Inc.” and to have “a new RFP website fully operational.”

3 5. On June 28, 2011, the Commission’s Utilities Division (“Staff”) filed a Memorandum
4 in which Staff states it does not object to the Company’s request for an extension of time because a
5 “fully operational website will contribute to making the whole process more open and transparent.”
6 Staff recommends that TEP’s deadline to provide the RFP results be extended until September 15, 2011.

7 6. TEP filed its 2012 REST Plan on July 1, 2011 (Docket No. E-01933A-11-0269).
8 There is no indication that the public interest would be harmed as a result of the relatively modest
9 extension of time to provide the RFP results required by Decision No. 71856. Consequently, Staff’s
10 recommendation should be adopted.

11 **CONCLUSIONS OF LAW**

12 1. TEP is a public service corporation within the meaning of Article XV, Section 2 of the
13 Arizona Constitution.

14 2. The Commission has jurisdiction over TEP and the subject matter of the Request for
15 Extension of Time to comply with Commission Decision No. 71856.

16 3. Staff’s recommendation that TEP should receive an extension of time to comply with
17 Decision No. 71856 is reasonable.

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ORDER

IT IS THEREFORE ORDERED that Tucson Electric Power Company's request for an extension of time, until September 15, 2011, to file the results of its RFP for at least 50 Megawatts of wind power from an in-state wind generator required by Decision No. 71856 is hereby granted.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN _____ COMMISSIONER _____

COMMISSIONER _____ COMMISSIONER _____ COMMISSIONER _____

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2011.

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

1 SERVICE LIST FOR: E-01933A-10-0213
2 DOCKET NO.: TUCSON ELECTRIC POWER COMPANY

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