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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

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JIM IRVIN
Commissioner - Chairman
RENZ D. JENNINGS
Commissioner
CARL J. KUNASEK
Commissioner

JAN 14 1998

DOCKETED BY

IN THE MATTER OF THE APPLICATION)
OF MOHAVE ELECTRIC COOPERATIVE)
INC. - FILING FOR AN EXTENSION OF)
TIME IN WHICH TO FILE ITS)
UNBUNDLED SERVICE TARIFFS)

DOCKET NO. E-01750A-97-0701

DECISION NO. 60580

ORDER

Open Meeting
January 13 and 14, 1998
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On December 8, 1997, Mohave Electric Cooperative, Inc. (Mohave) submitted a request for extension of time in which to file its unbundled tariffs as required by A.A.C. R14-2-1606.C. Staff has reviewed the request for extension.

2. Affected utilities have known since December 26, 1996, that the subject filing(s) were due at the end of 1997. There are twelve affected utilities, which include Arizona's investor-owned utilities as well as Arizona's electric cooperatives.

3. The Retail Electric Competition Rules, A.A.C. R14-2-1601 et seq., contemplate the need for a substantial amount of time to evaluate and conduct proceedings on a variety of filings of affected utilities prior to the start of retail electric competition on January 1, 1999. The need for adequate time is the reason why the rules require a December 31, 1997, filing date.

4. Because all affected utilities will be filing unbundled tariffs, customer selection plans, system benefits charge calculations, stranded cost calculations, and possibly standard offer tariffs, it is imperative that all affected utilities are strictly held to filing schedules.

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1 5. Failure to allow adequate time for proper evaluation, adequate public notice, and a
2 reasonable review process could have an impact on the start of retail electric competition in
3 Arizona.

4 6. Requiring prompt filing of required items would allow Staff, as well as other
5 intervenors, adequate time for thoughtful and prudent review and processing of all filings.

6 7. If the Arizona Corporation Commission (Commission) were to grant the waivers
7 as requested by one-half of the twelve affected utilities, the result would require the Commission
8 to delay review of certain retail electric competition filings until later in 1998, precipitating
9 scheduling difficulties.

10 8. Staff has recommended that the request for a waiver from the Rule be denied and
11 that the applicant be ordered to provide the required filing immediately.

12 9. Further, Staff has recommended that if the filing is not made by January 30, 1998,
13 that the Commission direct Staff to evaluate the circumstances behind the failure to file and
14 make recommendations for specific sanctions to be imposed on the applicant if it believes that
15 sanctions are warranted.

16 CONCLUSIONS OF LAW

17 1. Mohave is an Arizona public service corporation within the meaning of Article XV,
18 Section 2, of the Arizona Constitution.

19 2. The Commission has jurisdiction over Mohave and over the subject matter of this
20 docket.

21 3. Staff's recommendations contained in Findings of Fact Nos. 8 and 9 are reasonable
22 and should be adopted.

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ORDER

THEREFORE, IT IS ORDERED that the request be denied.

IT IS FURTHER ORDERED that Mohave Electric Cooperative, Inc., shall file its unbundled tariffs immediately.

IT IS FURTHER ORDERED that if the filing is not made on or before the close of business on February 13, 1998, Staff shall evaluate the circumstances behind the failure to file and make recommendations for specific sanctions to be imposed on the applicant if it believes that sanctions are warranted.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION


COMMISSIONER - CHAIRMAN


COMMISSIONER


COMMISSIONER

IN WITNESS WHEREOF, I, JACK ROSE, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 14th day of January 1998.


JACK ROSE
Executive Secretary

DISSENT _____

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