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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY  
*[Signature]*

IN THE MATTER OF THE APPLICATION OF  
TUCSON ELECTRIC POWER COMPANY FOR  
APPROVAL OF ITS 2012 RENEWABLE ENERGY  
STANDARD IMPLEMENTATION PLAN AND  
DISTRIBUTED ENERGY ADMINISTRATIVE  
PLAN AND REQUEST FOR RESET OF  
RENEWABLE ENERGY ADJUSTOR.

DOCKET NO. E-01933A-11-0269

**PROCEDURAL ORDER REQUIRING  
PUBLIC NOTICE AND SETTING  
INTERVENTION DEADLINE**

**BY THE COMMISSION:**

On July 1, 2011, Tucson Electric Power Company ("TEP" or Company") filed with the Arizona Corporation Commission ("Commission") its 2012 Renewable Energy Standard Implementation Plan and request for reset of renewable energy adjustor.

Intervention has been granted to the Solar Alliance ("Solar Alliance"), SolarCity Corporation ("SolarCity"), Freeport-McMoRan Copper & Gold, Inc. ("Freeport-McMoRan") and Arizonans for Choice and Competition ("AECC").

On August 23, 2011, Western Resource Advocates ("WRA") filed a Motion to Intervene.

On August 24, 2011, at an Open Meeting of the Commission, the Commission directed the Commission's Hearing Division to schedule and hold a procedural conference at the earliest possible date for the purpose of discussing a hearing on the 2012 Renewable Energy Standard Implementation Plans filed by TEP, Arizona Public Service Company ("APS") (Docket No. E-01345A-11-0264), and UNS Electric, Inc. ("UNSE") (Docket No. E-04204A-11-0267).

On August 25, 2011, a Procedural Order was issued setting a procedural conference for the purpose of having parties discuss procedural issues including a hearing, consolidation of this docket with Docket Nos. E-01345A-11-0264 and E-04204A-11-0267, notice, and an intervention deadline.

On August 30, 2011, the procedural conference convened as scheduled. APS, TEP, UNSE, Solar Alliance, SolarCity, Freeport-McMoRan, AECC, WRA, the Residential Utility Consumer

1 Office ("RUCO"), and the Commission's Utilities Division ("Staff") appeared through counsel. The  
2 parties stated that they had no objection to the intervention of WRA or RUCO in this matter. The  
3 parties discussed the possibility of a hearing, consolidation of this docket with Docket Nos. E-  
4 01345A-11-0264 and E-04204A-11-0267, notice, and an intervention deadline.

5 On August 31, 2011, RUCO filed an Application to Intervene.

6 On September 7, 2011, at an Open Meeting of the Commission, the Commission directed  
7 Staff to prepare a Staff Report in this docket and Docket Nos. E-01345A-11-0264 and E-04204A-11-  
8 0267 for consideration at a future Commission Open Meeting, and indicated that a hearing may or  
9 may not be held on limited issues following that Open Meeting. The Commission also directed the  
10 Hearing Division to set a deadline for intervention in this docket. The Commission indicated that it  
11 intends to reach a determination on the application by the end of December, 2011.

12 The Commission will consider the application and Staff's recommendation at an Open  
13 Meeting of the Commission that will be held following the issuance of a Staff Report. At that Open  
14 Meeting, the Commission may vote on the application or may determine that an evidentiary hearing  
15 should be held for the purpose of taking evidence on limited issues. Should the Commission decide  
16 to hold a hearing, the process will be expedited and the schedule will be tailored to allow the  
17 Commission to reach a determination on the application by the end of December, 2011.

18 Following the issuance of the Staff Report, parties will have 10 days to file comments thereon  
19 and/or to request that a hearing be held. Any request for hearing must state with specificity the issue  
20 or issues which the party believes necessitate an evidentiary hearing. In its discretion, the  
21 Commission may or may not hold a hearing.

22 Public notice of the application should be ordered, and a deadline for intervention by  
23 interested parties should be set.

24 IT IS THEREFORE ORDERED that intervention shall be in accordance with A.A.C. R14-3-  
25 105, except that **all motions to intervene must be filed on or before September 30, 2011.**

26 IT IS FURTHER ORDERED that Western Resource Advocates and RUCO are hereby  
27 granted intervention.

28 IT IS FURTHER ORDERED that all parties shall file their comments on the Staff Report no

1 later than 10 calendar days following the date the Staff Report is issued.

2 IT IS FURTHER ORDERED that any party requesting a hearing shall file a request no later  
3 than 10 days following the date the Staff Report is issued. Any such request shall state with  
4 specificity the issue or issues which the party believes necessitate an evidentiary hearing. In its  
5 discretion, the Commission may or may not hold a hearing.

6 IT IS FURTHER ORDERED that TEP shall provide public notice of the application in the  
7 following form and style with the heading in no less than 18-point bold type and the body in no less  
8 than 10-point regular type:

9  
10 **PUBLIC NOTICE OF THE APPLICATION OF TUCSON ELECTRIC POWER**  
11 **COMPANY FOR APPROVAL OF ITS 2012 RENEWABLE ENERGY**  
12 **STANDARD IMPLEMENTATION PLAN AND DISTRIBUTED ENERGY**  
13 **ADMINISTRATIVE PLAN AND REQUEST FOR RESET OF RENEWABLE**  
14 **ENERGY ADJUSTOR.**

15 **(DOCKET NO. E-01933A-11-0269)**

16 **Summary**

17 On July 1, 2011, Tucson Electric Power Company ("TEP" or Company") filed with the  
18 Arizona Corporation Commission ("Commission") its 2012 Renewable Energy  
19 Standard Implementation Plan and request for reset of renewable energy adjustor.

20 The Commission's Utilities Division ("Staff") is in the process of reviewing and  
21 analyzing the application and will issue a Staff Report with its analysis and  
22 recommendation. **THE COMMISSION IS NOT BOUND BY THE PROPOSALS  
23 MADE BY TEP, STAFF, OR ANY INTERVENORS, AND THE  
24 IMPLEMENTATION PLAN APPROVED BY THE COMMISSION MAY  
25 DIFFER FROM THE PLAN REQUESTED BY TEP OR PROPOSED BY  
26 OTHER PARTIES.**

27 **How You Can View or Obtain a Copy of the Application**

28 Copies of the application are available from TEP at its office, [Company insert address  
and phone number] and at the Commission's Docket Control Center at 1200 West  
Washington, Phoenix, Arizona, for public inspection during regular business hours and  
on the Internet via the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-Docket  
function, located at the bottom of the web page.

**Arizona Corporation Commission Public Hearing Information**

No hearing has been set on the application. The Commission will consider the  
application and Staff's recommendation at an Open Meeting of the Commission that  
will be held following the issuance of a Staff Report. At that Open Meeting, the  
Commission may vote on the application or may determine that an evidentiary hearing  
should be held for the purpose of taking evidence on limited issues. Should the  
Commission decide to hold a hearing, the process will be expedited and the schedule  
will be tailored to allow the Commission to reach a determination on the application by

1 the end of December, 2011. **Unless you intervene in this docket, you will receive no**  
2 **further notice of any Open Meetings or any hearing that may be held on the**  
3 **application.**

4 **Following the issuance of the Staff Report, intervenors will have 10 days to file**  
5 **comments thereon and/or to request that a hearing be held. Any request for**  
6 **hearing must state with specificity the issue or issues which the intervenor believes**  
7 **necessitate an evidentiary hearing. In its discretion, the Commission may or may**  
8 **not hold a hearing.**

#### 9 **About Intervention**

10 Under appropriate circumstances, interested parties may intervene in this case. Any  
11 person or entity entitled by law to intervene and having a direct and substantial interest in  
12 the matter will be permitted to intervene.

13 If you wish to intervene, you must file an original and 13 copies of a written motion to  
14 intervene with the Commission no later than **September 30, 2011**, and send a copy of the  
15 motion to TEP or its counsel and to all parties of record. Your motion to intervene must  
16 contain the following:

- 17 1. Your name, address, and telephone number, and the name, address, and telephone  
18 number of any party upon whom service of documents is to be made, if not yourself;
- 19 2. A short statement of your interest in the proceeding (e.g., a customer of TEP, a  
20 shareholder of TEP, etc.); and
- 21 3. A statement certifying that you have mailed a copy of the motion to intervene to  
22 TEP or its counsel and to all parties of record in the case.

23 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that  
24 all motions to intervene must be filed on or before **September 30, 2011**. All parties must  
25 comply with Arizona Supreme Court Rules 31 and 38 and A.R.S. § 40-243 with respect  
26 to the practice of law. For information about requesting intervention, visit the  
27 Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>.  
28 Failure to intervene will not preclude any interested person or entity from providing  
public comment on the application or from filing written comments in the record of the  
case.

#### 29 **How to File Public Comments on the Application**

30 Written public comments may also be submitted by mailing a letter referencing Docket  
31 No. **E-01933A-11-0269** to Arizona Corporation Commission, Consumer Services  
32 Section, 1200 West Washington, Phoenix, AZ 85007, or by e-mail. For a form to use  
33 and instructions on how to e-mail comments to the Commission, go to  
34 <http://www.azcc.gov/Divisions/Utilities/forms/PublicCommentForm.pdf>.

#### 35 **ADA/Equal Access Information**

36 The Commission does not discriminate on the basis of disability in admission to its  
37 public meetings. Persons with a disability may request a reasonable accommodation  
38 such as a sign language interpreter, as well as request this document in an alternative  
39 format, by contacting the ADA Coordinator, Shaylin Bernal, email [SABernal@azcc.gov](mailto:SABernal@azcc.gov),  
40 voice phone number 602-542-3931. Requests should be made as early as possible to  
41 allow time to arrange the accommodation.

#### 42 **Who to Contact if you have Questions**

43 For further information on the TEP application and procedural schedule, please contact  
44 TEP at [Company insert phone number] or the Commission's Consumer Services

1 Section at 602-542-4251, or 1-800-222-7000 (outside the metro Phoenix area). For  
2 further information or assistance with intervention or how to make public comment,  
3 please contact the Commission's Consumer Services Section at 602-542-4251, or 1-800-  
4 222-7000 (outside the metro Phoenix area).

5 IT IS FURTHER ORDERED that TEP shall cause a copy of the above notice to be published  
6 in a newspaper of statewide circulation no later than **September 16, 2011**.

7 IT IS FURTHER ORDERED that TEP shall file certification of publication as soon as  
8 possible after the publication has been completed, but **no later than September 23, 2011**.

9 IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same,  
10 notwithstanding the failure of an individual customer to read or receive the notice.

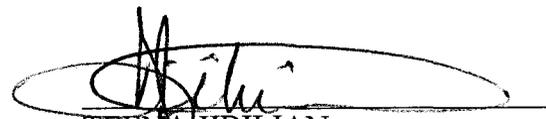
11 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
12 31, 38, and 42 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

13 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance  
14 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
15 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances  
16 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is  
17 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the  
18 Administrative Law Judge or the Commission.

19 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
20 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

21 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
22 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
23 hearing.

24 DATED this 8<sup>th</sup> day of September, 2011.

25   
26 TEENA JIBILIAN  
27 ADMINISTRATIVE LAW JUDGE  
28

1 Copies of the foregoing mailed  
this 24th day of September, 2011 to:

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