

ORIGINAL

INTERVENTION

BEFORE THE ARIZONA CORPORATION



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Arizona Corporation Commission  
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**GARY PIERCE, Chairman**  
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**PAUL NEWMAN**  
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ARIZ CORP COMMISSION  
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IN THE MATTER OF THE APPLICATION OF )  
TUCSON ELECTRIC POWER COMPANY FOR )  
THE ESTABLISHMENT OF JUST AND )  
REASONABLE RATES AND CHARGES )  
DESIGNED TO REALIZE A REASONABLE )  
RATE OF RETURN ON THE FAIR VALUE OF )  
ITS OPERATIONS THROUGHOUT THE STATE )  
OF ARIZONA. )

DOCKET NO. E-01933A-12-0291  
APPLICATION FOR LEAVE TO INTERVENE

LAWRENCE V. ROBERTSON, JR.  
ATTORNEY AT LAW  
P.O. Box 1448  
Tubac, Arizona 85646  
(520) 398-0411

**I.**

**INTRODUCTION**

Pursuant to A.A.C. R14-3-105 Southern Arizona Homebuilders Association ("SAHBA"), an Arizona non-profit corporation, hereby submits its Application for Leave to Intervene ("Application") in the above-captioned and above-docketed proceeding ("Instant Proceeding"). In support of its Application, SAHBA submits the following information.

**II.**

**IDENTITY OF APPLICANT**

SAHBA is a member trade organization with 340 dues-paying members, which includes Home Builders, Developers, and Associate Members. SAHBA was incorporated in 1952, and its coverage area from the National Association of Home Builders includes Pima, Cochise and Santa Cruz Counties. SAHBA is a 501(C)(6) organization under the United States Internal Revenue Code.

SAHBA represents building industry professionals ranging from builders, developers, land planners, architects, engineers, environmental consultants, trade contractors, banking and

1 mortgage, real estate, and the many supporting disciplines necessary to create, sell, remodel,  
2 furnish and maintain new homes and communities throughout Southern Arizona. SAHBA  
3 provides a venue for its members to share information and to network with other professionals  
4 involved in the home building industry. SAHBA serves as an advocate for its membership and  
5 keeps them apprised of changes in regulatory and governmental matters that will affect their  
6 businesses. SAHBA serves as the sponsoring organization of a semi-annual home show  
7 allowing members and other merchants to gather and showcase the latest in home improvement  
8 and indoor and outdoor living areas.

9 In connection with the foregoing, SAHBA actively participated as an advocate on behalf  
10 of its membership in the proceedings in Docket Nos. E-01933A-07-0402 and E-01933A-05-  
11 0650, which resulted in the Commission's issuance of Decision No. 72501. That decision  
12 reinstated Tucson Electric Power Company's ("TEP") historical line extension tariff provisions,  
13 which previously had been "removed" by TEP pursuant to the Commission's Decision No.  
14 70628.<sup>1</sup>

15 **III.**  
16 **APPLICANT COULD BE SUBSTANTIALLY AND**  
17 **DIRECTLY AFFECTED BY A COMMISSION DECISION**  
18 **IN THE INSTANT PROCEEDING**

19 On July 2, 2012 TEP filed a request with the Commission for an increase in its rates and  
20 charges for electric service, which filing occasioned the initiation of the Instant Proceeding.  
21 Therein TEP submitted proposals relating to the subjects of Energy Efficiency and Renewable  
22 Energy, which are of interest to SAHBA and its members.

23 More specifically, during the aforesaid proceedings conducted in Docket Nos. E-01933A-  
24 07-0402 and E-01933A-05-0650, SAHBA indicated its intent to continue to educate its members  
25 about and promote the use of Energy Efficiency and Renewable Energy applications in new

26 \_\_\_\_\_  
27 <sup>1</sup> As of this juncture, TEP does not appear to propose any changes to the line extension tariff provisions, which were  
28 restored with the Commission's Decision No. 72501. However, because circumstances can change during the  
course of a rate case proceeding, in addition to reasons discussed in Section III below, SAHBA believes that its  
intervention in the Instant Proceeding is appropriate for purposes of preserving the interest of its members with  
respect to TEP's current line extension policies and tariffs.

1 homes, where feasible. In that regard, SAHBA's members comply with the energy conservation  
2 requirements of international and local building codes; and, SAHBA's members have  
3 participated in TEP's "beyond code" Energy Efficiency program from time to time. As a  
4 consequence, SAHBA believes that its members and SAHBA must be in a position (i) to  
5 continue to inform themselves as to TEP's Energy Efficiency and Renewable Energy policies  
6 and programs, as the same may exist from time-to-time; and, as appropriate, (ii) to endeavor to  
7 influence the same.

8 It is conceivable that existing TEP Energy Efficiency and Renewable Energy programs in  
9 which SAHBA members currently participate and/or hereafter might participate could be  
10 changed or eliminated as a consequence of the Instant Proceeding. Accordingly, SAHBA and its  
11 members could be substantially and directly affected by a Commission decision in the Instant  
12 Proceeding<sup>2</sup>.

13 **IV.**

14 **APPLICANT'S INTERVENTION WOULD NOT DELAY THE**  
15 **INSTANT PROCEEDING OR UNDULY BROADEN ISSUES**

16 As of this juncture, SAHBA does not anticipate a need to raise any new matters. Rather,  
17 it contemplates participating in the proceeding and addressing to the extent necessary (i) those  
18 questions and/or issues which may exist at this time as a result of TEP's Application and  
19 supporting schedules and supporting testimony, or (ii) which may hereafter be raised by the  
20 Commission's Staff and/or other parties. Thus, its intervention will not unduly broaden the  
21 issues to be considered.

22 **V.**

23 **CONCLUSION**

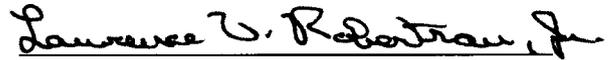
24 Based upon the foregoing, SAHBA believes that it has satisfied the requirements for  
25 intervention set forth in A.A.C. R-14-3-105. Accordingly, it requests that an appropriate order of  
26

27  
28 <sup>2</sup> In addition, many of SAHBA's members are customers of TEP. Accordingly, TEP's proposed increase in rates and charges for electric service would directly impact the cost of doing business for such SAHBA members.

1 the Commission be issued granting SAHBA's Application, and according SAHBA all rights as a  
2 party of record in the instant proceeding.

3  
4 Dated this 27<sup>th</sup> of July 2012.

5  
6 Respectfully submitted,

7 

8 Lawrence V. Robertson, Jr.  
9 Attorney for Southern Arizona Homebuilders  
Association

10 The original and thirteen (13) copies of the  
11 foregoing Application will be mailed for filing  
this 27<sup>th</sup> day of July 2012 to:

12 Docket Control  
13 Arizona Corporation Commission  
14 1200 West Washington Street  
Phoenix, Arizona 85007

15 A copy of the foregoing Application has been  
16 emailed or will be mailed this same date to:

17 Lyn A. Farmer,  
18 Chief Administrative Law Judge  
Hearing Division  
19 Arizona Corporation Commission  
1200 West Washington Street  
20 Phoenix, Arizona 85007

Ernest Johnson, Director  
Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

21 Janice M. Alward  
22 Legal Division  
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