

ORIGINAL

CHAIRMAN STUMP'S PROPOSED AMENDMENT NO. 1



0000141585

DATE PREPARED: January 22, 2013

COMPANY: Tucson Electric Power Company AGENDA ITEM NO. 9

DOCKET NO(S). E-01933A-12-0296 OPEN MEETING DATE: January 23, 2013

Page 18, Lines 1-19

DELETE: Finding of Fact No. 43.

Page 19, Lines 5-8

DELETE: The last sentence in Finding of Fact No. 44

INSERT: New Findings of Fact as set forth below:

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44. A number of stakeholders have filed comments in the REST proceedings for TEP and Arizona Public Service Company (Docket No. E-01345A-12-0290) on the "Track and Record" proposal. In these comments, stakeholders have raised a variety of concerns about the "Track and Record" proposal. The comments indicate that controversies exist over the "Track and Record" proposal; therefore, the issues related to this proposal and potential alternatives thereto appear to be better suited for a hearing.

45. Although Staff believes that the "Track and Record" proposal has merit, Staff understands how some parties may believe that "Track and Record" may be inconsistent with the existing provisions of the REST rules. Because of the number and tenor of the comments, Staff recommends that the "Track and Record" proposal not be adopted at this time, thereby maintaining the status quo.

46. Staff believes, however, that the Track and Record proposal merits serious consideration, and the issue should ultimately be addressed by the Commission. At this time, Staff recommends that the Commission act upon all aspects of TEP's plan except the "Track and Record" proposal. Staff recommends that the Track and Record proposal (as well as alternatives thereto) should be subject to a hearing.

Arizona Corporation Commission
DOCKETED
JAN 22 2013

DOCKETED BY
JTM

THIS AMENDMENT:			
_____ Passed _____	_____ Passed as amended by _____		
_____ Failed _____	_____ Not Offered _____	_____ Withdrawn _____	

47. The Commission should direct the Hearing Division to schedule a procedural conference, entertain requests for intervention, hold a hearing, and prepare a Recommended Opinion and Order (“ROO”) for Commission consideration on the “Track and Record” proposal and potential alternatives. The ROO should evaluate whether adoption of the “Track and Record” proposal (or alternatives thereto) would require modifications to the REST Rules.

48. As part of its Track and Record proposal, TEP proposed to count certain 2012 renewable projects that did not receive incentives toward TEP’s compliance requirements under the REST rules. This request should be denied. Staff recognizes that TEP’s ability to comply with its 2013 REST requirement could be impacted by the Commission’s acting on “Track and Record” (or another potential alternative) at a later date. Therefore, TEP may file with the Commission, at an appropriate time, a request for a remedy if TEP believes that its ability to comply with TEP’s 2013 REST requirement has been affected.

Page 30, Lines 21-27

DELETE: Findings of Fact Nos. 86 and 87.

INSERT: New Findings of Fact Nos. 86 and 87

86. Staff recommends that the “Track and Record” proposal (as well as potential alternatives thereto) should be subject to a hearing as discussed herein.

87. Staff recommends that the Commission deny TEP’s request to count the seven 2012 installations that requested net metering but that did not receive utility incentives towards REST compliance.

Page 31, Lines 8-10

INSERT: the following phrase in Conclusion of Law No. 3 after “October 18, 2012,”

“and Staff’s Supplemental Memorandum dated January 17, 2013,”

Page 32, Lines 26-28 through Page 33, Lines 1-5

DELETE: The two ordering paragraphs appearing on page 32, lines 26-28 through page 33, lines 1-5.

INSERT: The following as new ordering paragraphs.

IT IS FURTHER ORDERED that the “Track and Record” proposal shall not be adopted for TEP at this time.

IT IS FURTHER ORDERED that the “Track and Record” proposal (as well as potential alternatives thereto) should be subject to a hearing as discussed herein.

IT IS FURTHER ORDERED that TEP should not count toward its REST compliance any 2012 renewable projects that did not receive incentives.

RENUMBER TO CONFORM, AND MAKE ALL CONFORMING CHANGES