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Docket Control
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

February 14, 2013

Re: Notice of Filing by Sierra Club
Docket Number E-01933A-12-0291

To Whom It May Concern:

Please find enclosed a Notice of Filing by Sierra Club. An original and 13 copies have been mailed to the Docket Control Office. Each of the parties on the service list will be sent an electronic copy via e-mail. This filing does not contain confidential information.

Please do not hesitate to contact me if you have any questions. Thank you.

Sincerely,

James Giampietro
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Arizona Corporation Commission
DOCKETED

FEB 15 2013



Cc: Service List

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5 Attorney for Sierra Club

6
7 **Before the Arizona Corporation Commission**

8
9 BOB STUMP, Chairman
GARY PIERCE
10 BRENDA BURNS
SUSAN BITTER-SMITH
11 ROBERT BURNS

12
13 IN THE MATTER OF THE APPLICATION
OF TUCSON ELECTRIC POWER
14 COMPANY FOR THE ESTABLISHMENT OF
JUST AND REASONABLE RATES AND
15 CHARGES DESIGNED TO REALIZE A
REASONABLE RATE OF RETURN ON THE
16 FAIR VALUE OF ITS OPERATIONS
THROUGHOUT THE STATE OF ARIZONA.

Docket No. E-01933A-12-0291
**NOTICE OF FILING BY
SIERRA CLUB**

17
18 Sierra Club hereby provides notice that it is not a signatory to the Proposed Settlement
19 Agreement that was filed in this case on February 4, 2012, and Sierra Club will not be filing
20 testimony in connection with the Proposed Settlement Agreement. Sierra Club filed direct
21 testimony in this proceeding on December 21, 2012 recommending that the Arizona Corporation
22 Commission (“Commission”) reject the proposed Environmental Compliance Adjustor (“ECA”).
23 Sierra Club stands by that testimony with respect to its concerns about the ECA. However, in
24 light of the Proposed Settlement Agreement’s provision to impose a cost cap equal to 0.25
25

1 percent of Tucson Electric Power's ("TEP") total retail revenue, Sierra Club does not oppose
2 Section 9 (ECA) of the Proposed Settlement Agreement.

3 Sierra Club joins the Southwest Energy Efficiency Project ("SWEEP") in opposition to
4 Section 8 (Lost Fixed Cost Recovery or "LFCR") of the Proposed Settlement Agreement and to
5 the increase to the basic service charge.

6 Sierra Club takes no position on the remaining provisions of the Proposed Settlement
7 Agreement.

8 Dated this 14th day of February, 2013
9

10
11 

12 Travis Ritchie
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PROOF OF SERVICE

I hereby certify that I have this day served the foregoing non-confidential documents on the following parties in this proceeding by mailing a copy thereof, properly addressed, with either FedEx or U.S. Mail first class, postage prepaid, or via electronic mail in cases where service of paper copies is not required.

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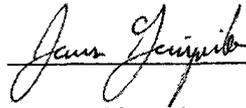
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Dated at San Francisco, CA, this 14th day of February of 2013.



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